

Agenda

Environmental Protection Commission

July 20, 1998

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

10:30 A.M.

Appointments:

Dutch Schulz - J & R Recycling

11:00 A.M

Agenda topics

- | | | |
|-----|--|----------------------------|
| 1. | Approve Agenda | |
| 2. | Approve Minutes of June 15, 1998 | |
| 3. | Director's Report | Larry Wilson (Information) |
| 4. | Monthly Financial Status Report | Stan Kuhn (Information) |
| 5. | Year 2000 Status Report | Stan Kuhn (Information) |
| 6. | Notice of Intended Action--Chapter 219, Waste Tire Beneficial End Uses | Roya Stanley (Decision) |
| 7. | Waste Tire Management County Grant Program Contracts | Roya Stanley (Decision) |
| 8. | Iowa Waste Exchange Contract Amendments | Roya Stanley (Decision) |
| 9. | Landfill Alternatives Financial Assistance Applications | Roya Stanley (Information) |
| 10. | Regional Collection Centers | Roya Stanley (Information) |
| 11. | Monthly Reports | Allan Stokes (Information) |
| 12. | Contract for Voluntary State Operator Permits for Air Emission Sources | Allan Stokes (Decision) |
| 13. | Revision of SIP for Sulphur Dioxide - Cedar Rapids | Allan Stokes (Information) |
| 14. | Notice of Intended Action--Chapter 137, Brownfields Program Rules | Allan Stokes (Decision) |
| 15. | Final Rule--Chapter 103, Sanitary Landfills | Allan Stokes (Decision) |

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|-----|---|----------------------------------|
| 16. | Emergency Rule--Chapter 50, Ag Drainage Wells | Allan Stokes (Decision) |
| 17. | State of Iowa Public Drinking Water Program Annual Compliance Report | Allan Stokes (Information) |
| 18. | Iowa Water Quality Monitoring Program | Allan Stokes (Information) |
| 19. | Proposed Contested Case Decision--Iowa Select Farms (Gast Finishing) | Allan Stokes (Decision) |
| 20. | Proposed Contested Case Decision--Iowa Select Farms (Sow Farm #8) | Allan Stokes (Decision) |
| 21. | Proposed Contested Case Decision--Dodger Enterprises Co., Tire Chop Division, and Donald E. Grell | Allan Stokes (Decision) |
| 22. | Referrals to the Attorney General
a) Charlie's Supper Club (Algona) | Allan Stokes (Decision) |
| 23. | General Discussion | |
| 24. | Address Items for Next Meeting | |

Next Meeting Dates

August 17, 1998

September 21, 1998

October 19, 1998

ENVIRONMENTAL PROTECTION COMMISSION

Monday, July 20, 1998

NAME	COMPANY OR AGENCY	CITY
(PLEASE PRINT)		
Cathy Woollums	Mid American Energy Co.	Davenport
Jane CLARK	IOWA SIERRA CLUB	DM
ROD BISHART	CR Gazette	DM
JANE McALISTER	AHLERS LAW FIRM	DSM
SCOTT YOUNG	Bryau Cave	KC
Jean Trobe	GROW MARK	Bloomington, IL
Debbie Neustadt	Sierra Club, Iowa Chapter	Des Moines
Mel Pinos	IPNR	WALLACE DUT
Des Kozel	LFB	Des Moines
Susan Heathcote	Iowa Environmental Council	Des Moines
Andrea Fague	League of Cities	DSM
Theresa Kehoe	Iowa Senate	DSM
Hal Morton	Des Moines Co. Regt Solid Waste Comm	Burlington
Scott Smith	ABI	DSM
Jennita Premea	IWRCLONI	Cedar Falls
Floyd PELLEY		Bluestem
Vladimir Bydzovsky		J. & S. Apple
Linda Hume	IOED	DSM

ENVIRONMENTAL PROTECTION COMMISSION

Monday, July 20, 1998

NAME	COMPANY OR AGENCY	CITY
(PLEASE PRINT)		
Chick Gant	Farm Bureau	WDSM
Helen Mahler	Seems Club	Des Moines
Kathie Bradovich	Lee News	DM
Dorothy Simons	for Appearance	Wilton
Linda Kinnman	IAWA	DM
Dan Goodrich	Dmww	Dm
Mike Glover	AP	BREA
PAUL VENNEN		

RECORD COPY *EPC Meeting*
File Name *ADM-1-1-1*
Secretary's Initials *JL.* *July 1998* *2898*

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

JULY 20, 1998

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Ehm at 10:00 a.m. on Monday, July 20, 1998, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

William Ehm, Chair
Randal Giannetto (arrived at 11:10 a.m.)
Rozanne King
Dean McWilliams
Charlotte Mohr, Secretary
Gary Priebe
Terrance Townsend, Vice-Chair
Rita Venner

MEMBERS ABSENT

Kathryn Murphy

Director Wilson reported that Kathryn Murphy phoned to say she has a personal conflict and will not be able to attend today. He added that Randal Giannetto also phoned to say he will be an hour late to the meeting.

ADOPTION OF AGENDA

Motion was made by Rozanne King to approve the agenda as presented. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

APPROVAL OF MINUTES

Motion was made by Rita Venner to approve the meeting minutes of June 15, 1998, as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director, reported that he and his staff will hold public meetings this week in Webster City, Algona, Emmetsburg and Pocahontas on Wednesday, July 22, and on Thursday in Fort Dodge. He added that the purpose of these meetings is to meet with the public, the local leaders, and anyone interested in visiting with the department staff. He related that last year the department held 16 of these town meetings and the previous year they held 22 meetings. Director Wilson distributed copies of the EPD internet brochure. He also distributed copies of the 1996 Annual Report.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The 6/30/98 YTD division-level expenditure status report is attached.

A separate column shows the new FY99 budget. Notes are appended to each division's status report regarding significant changes related to the FY99 budget.

The parks budget continues to show an projected deficit. Whether this occurs or not depends on June operational expenditures not paid as of June 30, and June camping receipts. Despite the June rains, initial field reports indicate strong camping usage. If a deficit remains after final FY98 accounting, it will be necessary to request DOM to authorize general fund transfer from other divisions.

A significant portion of the apparent Administrative Services FY98 budget surplus has been committed to upgrade the center office computer network; routers, switches, etc. Current connectivity equipment is obsolete and does not support the higher data transmission speeds possible with the current generation of personal computers. Also, increased failure of network hubs has occurred related to power outages. A separate, related consulting contract is underway, as part of the DNR's IT strategic planning effort, to develop a plan for standardized upgrading of computer operating systems.

Other notes related to changes from the FY98 budget to the FY99 budget are reflected directly on the attached report. Additional detail relative to the FY99 budget will be provided as part of the process of preparing the FY00/01 request and upon request.

Monthly Operations Budget Status Report
6/30/98

Budget Unit	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Director's Office/Info & Ed.	2,044,376	1,989,285	1,815,144	174,141	2,224,530
Administrative Services Div.	5,727,615	5,496,440	5,261,601	234,839	5,934,267
Parks, Rec. & Preserves Div.	9,517,728	9,141,294	9,230,826	(89,532)	9,600,566
Forests & Forestry Division	2,851,497	2,777,054	2,769,435	7,619	2,976,347
Energy & Geo. Res. Division	4,569,218	4,402,765	3,521,167	881,598	5,088,393
EPD Division	20,358,815	19,592,605	16,247,148	3,345,457	21,562,618
FW Division	20,863,640	20,346,383	19,979,445	366,938	21,439,731
Waste Mngt Assistance Div.	1,781,227	1,704,848	1,388,803	316,045	1,599,444
	67,714,116	65,450,673	60,213,569	5,237,104	70,425,896

Note: This report reflects budget versus actual status as of June 30. Anticipated FY98 expenses yet to be charged include various operating costs for goods and services obtained prior to June 30, but which will be paid in July. Also, as of June 30, 3 days of salaries remain to be charged to FY98. This adjustment will occur in July when the first payroll of FY99 is written on July 13th.

The FY99 expenditure budget is included. This is supported by 1998 G.A. appropriations, expected state and federal revenues, and includes a 3% salary adjustment as authorized by the 1998 G.A. and distributed by DOM.

The EPD FY99 budget includes six new positions for confined feedlot activities and two new positions for the floodplains program. The EPD budget also includes new cost centers related to management of the new public water supply revolving loan program (DWSRF). The I&E FY99 budget includes one new position for confined feedlot activities and a transfer in from the WMA division of one position for WMA information and education tasks. The Geological Survey bureau includes two new positions for confined feedlot activities.

Director's Office/ Inf. & Ed.

Budget Unit	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Director's Office & Commissions	306,371	298,608	306,378	(7,770)	286,970
Permit Compliance Team	191,045	187,320	148,335	38,985	180,494
REAP Program	39,500	39,500	43,236	(3,736)	40,000
Policy Coordination	55,555	54,683	34,067	20,616	99,676
Total Director's Office	592,471	580,111	532,016	48,095	607,140

Inf. & Ed. Bureau

I&E General Operations	435,044	422,470	435,732	(13,262)	495,622
Conservationist Magazine	386,552	382,654	298,271	84,383	389,372
Education Center Programs	192,924	186,313	173,310	13,003	202,238
Aquatic Education	278,537	263,141	259,877	3,264	292,685
Fish and Wildlife Information	15,458	15,280	21,123	(5,843)	13,111
Energy Information	72,674	70,095	44,631	25,464	73,684
Groundwater Education	23,044	22,779	0	22,779	15,000
WMA Information					37,668
319 Planning Information	39,672	39,066	12,488	26,578	41,930
Air Quality Title 5 Information	0	0	31,560	(31,560)	48,003
Education Workshops	8,000	7,376	927	6,449	8,000
Outdoor Learning	0	0	5,143	(5,143)	0
Project Wild Expansion	0	0	0	0	0
Hooked on Fishing	0	0	66	(66)	0
Total I & E Bureau	1,451,905	1,409,174	1,283,128	126,046	1,617,313
TTL Director's Office/Info & Ed.	2,044,376	1,989,285	1,815,144	174,141	2,224,530

Note: The I & E FY99 budget reflects the transfer of a position from the Waste Management Assistance division to support I&E activities related to Waste Management and an additional I&E position authorized by the 1998 G.A. relative to expanded Confined Feedlot regulation.

Administratives Services

Budget Unit	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Budgets and Grants Bureau	354,057	340,985	214,396	126,589	See B&F
State Central Services & Indirect	121,458	95,100	105,123	(10,023)	100,943
Budget & Finance Bureau	876,116	816,641	876,163	(59,522)	1,213,845
Administrative Services Bureau	1,499,918	1,450,326	1,353,267	97,059	1,548,590
Central Data Processing Bureau	810,991	769,248	689,691	79,557	824,278
Licensing Bureau	355,157	350,206	375,934	(25,728)	478,004
Construction Services Bureau	1,048,384	1,023,333	989,209	34,124	1,073,769
CSB-Park Road Design	55,212	54,577	75,879	(21,302)	59,464
Land Acquisition & Mngt Bureau	494,170	486,205	478,888	7,317	517,255
Division Mngt & Misc.	112,152	109,819	103,051	6,768	118,119
Total Administrative Services	5,727,615	5,496,440	5,261,601	234,839	5,934,267

Notes: The Budget and Grants bureau and the Accounting bureau have been combined into the "Budget and Finance bureau." The FY99 increase in the License bureau reflects anticipated costs relative to managing the implementation of the electronic licensing system.

Parks, Recreation & Preserves

Budget Unit	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Parks Field Management	218,405	211,411	252,438	(41,027)	254,297
NW District Parks Operations	2,087,404	1,998,153	2,007,200	(9,047)	2,015,574
NE District Parks Operations	1,916,634	1,856,015	1,861,673	(5,658)	1,885,260
SE District Parks Operations	2,223,025	2,123,882	2,130,440	(6,558)	2,247,503
SW District Parks Operations	2,010,125	1,920,465	1,956,586	(36,121)	2,036,581
Parks & Preserves Programs & Mngt	672,777	658,245	677,558	(19,313)	697,020
Endangered Species Grants	11,259	10,381	6,000	4,381	32,000
Preserves Grants	19,311	17,805	0	17,805	16,000
DED Parks Grants	27,167	26,709	38,724	(12,015)	30,000
Trail Development Grants	44,850	42,425	35,163	7,262	38,770
ISTEA Trails Grants					3,282
Cedar Rock	138,098	132,188	139,209	(7,021)	140,166
Division Management & Misc.	118,673	115,955	117,907	(1,952)	129,113
SRF Loan Repayment	30,000	27,660	7,928	19,732	75,000
Total Parks, Rec. & Preserves	9,517,728	9,141,294	9,230,826	(89,532)	9,600,566

Forests & Forestry

Budget Unit	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Forest Nursery Production	530,071	505,077	541,526	(36,449)	560,769
Forest Nursery Services	96,444	94,170	90,161	4,009	102,752
Shimek Forest	235,266	230,264	208,794	21,470	239,187
Stephens Forest	190,023	186,103	173,883	12,220	180,692
Yellow River Forest	245,229	240,101	230,616	9,485	255,706
Loess Hills Forest	161,082	156,489	168,953	(12,464)	170,027
Nursery & Forests Management	142,954	140,047	142,092	(2,045)	160,823
Farm Forestry Services	801,161	786,508	750,410	36,098	835,555
Trees For Kids Video	0	0	10,427	(10,427)	0
Trees For Kids Project	30,000	27,660	26,306	1,354	30,000
Forestry Services Management	301,841	296,006	313,859	(17,853)	311,136
Division Management	117,426	114,628	112,408	2,220	124,470
Training & Technology	0	0	0	0	5,230
Total Forests & Forestry	2,851,497	2,777,054	2,769,435	7,619	2,976,347

Energy & Geo. Resources

Budget Unit	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Energy Bureau:					
Biomass	89,807	87,246	83,084	4,162	81,620
SIFIC A	88,791	84,708	47,400	37,308	60,394
SIFIC B	67,296	66,367	66,162	205	54,088
SIFIC Innovation Project	101,250	99,870	76,720	23,150	99,200
State Energy Program	648,766	635,040	537,403	97,637	596,958
Rebuild Iowa, 2nd Phase					98,426
Indust. Tech Workshops					80,000
Energy Bldg Code, 2nd					48,545
Federal Energy Mngt, 2nd					264,523
Soya Diesel	46,369	44,067	22,715	21,352	80,000
Building Code, Energy	10,000	9,220	3,000	6,220	8,000
E-85 Promotion	0	0	0	0	0
Heating Oil & Propane Program	18,944	18,232	13,733	4,499	23,820
Energy Advancement	27,119	26,553	26,925	(372)	34,618
Greenhouse Gas	23,402	21,577	0	21,577	23,402
Greenhouse Gas #3	5,000	4,610	0	4,610	75,000
Federal Energy Bank	74,419	71,760	71,034	726	4,354
Energy/Education Study	50,000	46,100	19,927	26,173	19,389
Ethanol Seminar, Council of Gov's.	21,891	20,314	21,843	(1,529)	50,000
Oil Overcharge - 3 Admin	297,839	289,002	202,039	86,963	229,316
EPA Risk Assessment Project	61,859	57,034	25,053	31,981	7,421
Rebuild Iowa	155,129	143,823	122,558	21,265	87,089
SEP Energy Code	0	0	8,944	(8,944)	168,035
Federal Energy Mngt Program	50,000	46,100	29,194	16,906	59,996
Commercial Wind Energy	60,000	55,000	38,003	16,997	172,409
Wind Assessment	4,072	3,887	1,343	2,544	0
SEP Climate Wise	50,000	46,100	23,000	23,100	27,000
Ethanol Market Research	92,970	85,718	53,280	32,438	0
Total Energy Bureau	2,044,923	1,962,328	1,493,360	468,968	2,453,603

Notes: New costs centers reflect new grants or continuation of current grants requiring separate accounting.

Energy & Geo. Resources

Bureau Units	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Geology Bureau:					
Camp Dodge GIS Support	0	0	0	0	21,445
Camp Dodge Wetland	11,450	10,584	3,119	7,465	4,420
Camp Dodge Mapping	15,000	14,020	13,165	855	36,290
Floyd Cty ADW Project	23,272	22,319	8,311	14,008	16,699
Geology/Mineral Resources	371,462	364,338	355,726	8,612	426,707
Digital Mapping	100,403	95,526	97,874	(2,348)	19,386
Wright Cty Monitoring	27,683	26,386	1,319	25,067	27,926
Hydrology/Environment	488,206	481,373	458,066	23,307	456,251
Feedlot Regulation Support					76,000
State Mapping	22,973	21,847	19,586	2,261	149,367
Pesticide Mngt Project	41,464	38,541	24,296	14,245	35,756
Geology Information	238,673	234,837	228,947	5,890	246,497

Watershed Assessment Project					13,000
Big Springs Project	12,269	11,968	24,725	(12,757)	38,879
Geographical Info System	221,247	217,469	136,489	80,980	190,375
319 Planning - 91	42,465	40,878	19,742	21,136	21,164
319 Planning - 93	115,546	110,060	103,625	6,435	184,575
Walnut Creek Restoration	210,490	196,141	77,694	118,447	118,079
Wellhead Protection, EPA	86,811	82,643	38,164	44,479	59,934
USGS Coop. Agreement	156,154	143,974	118,819	25,155	156,154
Geology Bureau Mngt	239,667	230,058	203,661	26,397	234,159
Total Geology Bureau	2,425,235	2,342,962	1,933,328	409,634	2,533,063
Energy & Geological Div Mngt	99,060	97,475	94,479	2,996	101,727
Total Energy & Geological	4,569,218	4,402,765	3,521,167	881,598	5,088,393

Notes: The Geological bureau budget includes a new cost center reflecting 2 positions added to support Confined Feedlot regulation.

Environmental Protection

Budget Units	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Water Quality Bureau:					
Wastewater (NPDES) Mngt	700,467	684,061	635,609	48,452	812,628
Storm Water Permitting	216,986	212,802	184,989	27,813	217,508
Livestock Permits (C. Office)	226,667	223,191	295,210	(72,019)	315,029
State Revolving Grant Mngt	402,537	395,952	257,881	138,071	389,594
GW County Grants Mngt	59,210	56,739	56,159	580	53,853
Water Monitoring Workshop	2,900	2,674	1,812	862	0
Streamflow Statistics Report		0	12,745	(12,745)	13,470
Wastewater IT Design					42,105
GIS Locational Data		0	980	(980)	15,250
604B Water Planning	162,264	159,245	172,039	(12,794)	186,227
Floodplain Permitting					101,800
Floodplain Regulation & Mngt	309,073	304,352	326,104	(21,752)	324,737
319 Water Planning-90	0	0	0	0	0
319 Water Planning-91	55,000	51,432	25,109	26,323	0
319 Water Planning-92	100,000	92,200	81,625	10,575	50,000
319 Water Planning-93	175,000	161,350	101,038	60,312	185,000
319 Water Planning-94	270,000	248,940	223,984	24,956	200,000
319 Water Planning-95	540,064	513,386	376,848	136,538	200,000
319 Water Planning-96	451,201	416,011	447,656	(31,645)	538,253
319 Water Planning-97	110,000	101,420	152,194	(50,774)	205,151
319 Water Planning-98					100,000
Water Supply Regulation	1,334,817	1,290,596	879,829	410,767	1,184,899
Water Rights Administration	131,410	128,762	132,079	(3,317)	147,844
Operator Certification Support	98,589	91,477	35,773	55,704	104,540
Well Contractor Permits	42,310	41,022	37,100	3,922	42,853
Water Supply Eval Trng					10,000
DWSRF - Administration					78,776
DWSRF - Source Mngt					350,556
DWSRF - Technical Mngt					100,650
Water Supply-93 Flood	50,000	46,100	12,000	34,100	0
Lab Certification	156,500	144,351	79,959	64,392	102,500
Stream Watershed Assessment	30,750	28,352	38,185	(9,834)	820
Total Water Quality	5,625,745	5,394,413	4,566,907	827,506	6,074,043

Air Quality Bureau:

Air Quality Regulation & Planning	1,868,931	1,801,308	1,654,875	146,433	1,865,725
Air PM 2.5 Monitoring			107,407	(107,407)	544,105
Title V, Permitting, Enforcement	4,729,996	4,474,874	3,138,204	1,336,670	4,873,474
Total Air Quality Bureau	6,598,927	6,276,182	4,900,486	1,375,696	7,283,304

Land Quality Bureau:

Waste Management	634,806	619,093	527,410	91,683	655,015
Solid Waste Authorization	61,983	60,520	51,675	8,845	63,473
GW Professional Registration	60,993	57,499	21,285	36,214	36,053
UST	315,756	308,162	230,150	78,012	297,868
LUST Cleanup	786,139	764,055	539,229	224,826	759,654
Hazardous Waste Sitting	208,428	199,890	60,378	139,512	164,675
Remedial Activity	70,221	69,061	31,836	37,225	82,120
AIDEX Monitoring	6,600	6,152	0	6,152	5,000
Superfund Program Management	174,045	170,465	176,238	(5,773)	192,821
Multisite, Investigation & Assess.	55,553	53,966	115,980	(62,014)	74,976
General Motors Site Mngt	49,834	48,569	29,798	18,771	55,626
Waste Tire Permitting	1,000	989	1,218	(230)	1,000
Emergency Response	210,899	207,072	179,330	27,742	215,899
BrownFields Task Force	25,000	23,050	1,114	21,936	0
BrownFields Development	228,208	216,478	77,481	138,997	0
LUST Field Support	100,000	92,200	0	92,200	0
Total Land Quality Bureau	2,989,465	2,897,221	2,043,122	854,099	2,604,180

Legal & Compliance Bureau:

LUST Cleanup	529,073	521,021	535,242	(14,221)	580,746
Air Quality-Field Const. & Mngt	163,792	161,412	133,447	27,965	187,394
Air Quality-Field Title 5	474,201	467,412	396,415	70,997	538,070
Wastewater-Field	1,456,572	1,415,283	1,318,097	97,186	1,505,466
Water Supply-Field	646,810	636,406	638,776	(2,370)	661,994
Waste Mngt-Groundwater	709,167	697,228	627,278	69,950	715,766
Water Supply Technical Asst.	203,347	198,188	156,559	41,629	203,445
Feedlot Regulation, Field	315,200	310,331	310,762	(431)	509,168
Legal/Compliance Mngt	451,493	426,079	408,126	17,953	491,260
Total Legal & Compliance Bureau:	4,949,655	4,833,360	4,524,702	308,658	5,393,309
EPD Division Mngt & Misc	195,023	191,429	211,931	(20,502)	207,782
Total, EPD	20,358,815	19,592,605	16,247,148	3,345,457	21,562,618

Notes: The EPD FY99 budget reflects the addition of 6 positions for expanded Confined Feedlot regulation as authorized by the 1998 G.A. Two additional positions were added to the Floodplains program, funded by storm water fees, to reduce the backlog and increase the turnaround time related to floodplain construction permit applications.

Several new cost centers were added in the Water bureau to reflect activities and costs associated with the new public water supply state revolving fund program.

Fish and Wildlife

Budget Units	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Law Enforcement:					
NW Enforcement District	890,300	878,061	877,951	110	912,883
NW Enf. Boating Safety	24,632	22,768	26,479	(3,711)	25,900
NE Enforcement District	1,115,566	1,100,040	1,104,670	(4,630)	1,144,914
NE Enf. Boating Safety	16,500	15,365	13,056	2,309	11,500
SW Enforcement District	811,636	800,916	813,362	(12,446)	772,603
SW Enf. Boating Safety	36,800	35,013	23,653	11,360	6,800
SE Enforcement District	1,039,535	1,026,064	1,000,257	25,807	992,549
SE Enf. Boating Safety	18,500	17,057	9,811	7,246	16,000
NC Enforcement District	862,167	851,042	872,620	(21,578)	817,076
NC Enf. Boating Safety	27,001	25,191	15,607	9,584	16,700
SC Enforcement District	972,510	959,369	844,247	115,122	952,295
SC Enf. Boating Safety	27,370	25,634	158,520	(132,886)	52,120
Hunter Safety	358,749	345,944	388,662	(42,718)	360,787
Boating Safety	358,858	352,840	244,806	108,034	370,819
Snowmobile Safety	66,742	65,501	85,249	(19,748)	68,078
DPS Alco					9,000
Big Creek Range Maint.	7,000	6,547	5,798	749	7,000
Boating Safety Equipment Allotment					300,000
Cons. Law Bureau Mngt	348,401	329,758	223,636	106,122	448,401
Total Law Enforcement	6,982,267	6,857,107	6,708,384	148,723	7,285,425

Note: The Law Enforcement FY99 budget reflects an additional \$300,000 authorized by the 1998 G.A. for replacement of boat safety related equipment.

Fisheries:

Hatcheries:

Big Springs Fish Hatchery	224,012	217,592	210,114	7,478	224,517
Decorah Fish Hatchery	259,025	250,398	250,067	331	264,704
Fairport Fish Hatchery	161,636	156,511	149,673	6,838	165,642
Manchester Fish Hatchery	259,334	251,859	249,337	2,522	265,704
Rathbun Fish Hatchery	508,707	492,693	467,079	25,614	524,418
Spirit Lake Fish Hatchery	373,893	362,872	352,439	10,433	383,650
Total Hatcheries	1,786,607	1,731,924	1,678,709	53,215	1,828,635

Fisheries Management:

NW District	624,889	610,393	598,087	12,306	643,465
NE District	646,835	632,859	642,231	(9,372)	669,545
SW District	500,525	490,119	491,911	(1,792)	515,410
SE District	547,152	537,061	523,303	13,758	562,155
Total Fisheries Management	2,319,401	2,270,431	2,255,532	14,899	2,390,575

Fisheries Research:

Mississippi Monitoring	340,224	331,940	320,840	11,100	344,744
Aquatic Education Project	98,576	97,384	131,030	(33,646)	101,479
Milfoil Project	100,454	93,833	76,299	17,534	100,927
Bellevue Fisheries Research	176,243	173,078	173,642	(564)	181,837
Chariton Fisheries Research	261,182	255,945	273,022	(17,077)	273,084
Cold Springs Fisheries Research	125,568	123,342	127,394	(4,052)	129,318
Bozeman Project	5,000	4,610	0	4,610	12,000
Manchester Fisheries Research	128,448	125,937	123,276	2,661	128,728
Fish Production Drug Study	20,000	20,000	20,000	0	20,000

Rathbun Fisheries Research	167,375	161,922	146,437	15,485	167,931
Spirit Lake Fisheries Research	138,252	133,920	141,836	(7,916)	138,177
MARIS Study	10,000	9,220	0	9,220	10,000
Total Fisheries Research	1,571,322	1,531,130	1,533,776	(2,646)	1,608,225
Fisheries Bureau Mngt	522,887	495,517	444,421	51,096	528,482
Total Fisheries Bureau	6,200,217	6,029,002	5,912,438	116,564	6,355,917
Wildlife Bureau:					
Wildlife Area Maint. & Mngt:					
NW District Operations	1,073,625	1,048,513	1,069,407	(20,894)	1,096,021
NE District Operations	981,479	959,150	986,710	(27,560)	1,011,560
SW District Operations	1,022,862	998,540	1,005,756	(7,216)	1,060,938
SE District Operations	1,206,422	1,179,842	1,176,987	2,855	1,267,609
Wetlands Project Support	31,872	31,464	15,157	16,307	1
Wildlife Area Maint. & Mngt	4,316,260	4,217,510	4,254,017	(36,507)	4,436,129
Corps WMA Areas, Cond. 5:					
Saylorville Cond 5 WMA	35,444	34,655	44,316	(9,661)	36,603
DM River Cond 5 WMA	12,500	12,034	18,097	(6,063)	12,500
Missouri River Cond 5 WMA	4,000	3,688	0	3,688	4,000
Red Rock Cond 5 WMA	161,115	153,349	106,472	46,877	160,227
Coralville Cond 5 WMA	49,344	47,585	39,113	8,472	51,962
Rathbun Cond 5 WMA	28,994	28,588	38,520	(9,932)	30,153
Total Corps WMA Mngt	291,397	279,900	246,518	33,382	295,445
Total WMA Maint. & Mngt	4,607,657	4,497,409	4,500,535	(3,126)	4,731,574
Wildlife Research:					
Boone Research, State	189,912	185,381	131,795	53,586	190,964
Boone Research, Federal	130,043	127,151	108,437	18,714	134,551
Chariton Research, State	75,943	74,080	57,600	16,480	77,478
Chariton Research, Federal	152,566	150,079	126,941	23,138	128,990
Clear Lake Research, Federal	139,840	137,757	174,672	(36,915)	144,004
Clear Lake Research, State	81,749	80,192	97,398	(17,206)	86,560
Wildlife Diversity Project	249,505	243,096	224,130	18,966	252,892
Harvest Information Program Grant	0	0	12,018	(12,018)	40,000
Total Wildlife Research	1,019,558	997,735	932,991	64,744	1,055,439
Wildlife Depredation Mngt	172,466	168,023	128,249	39,774	166,497
Wildlife Bureau Mngt & Misc	1,405,378	1,347,535	1,395,618	(48,083)	1,435,855
Total Wildlife Bureau	7,205,059	7,010,703	6,957,393	53,310	7,389,365
FW Division Mngt & Misc	476,097	449,570	401,230	48,340	409,023
Total FW Division	20,863,640	20,346,383	19,979,445	366,938	21,439,731

Waste Management Assistance

Budget Units	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)	FY99 BDGT
Buy Recycled Business Alliance	1,500	0	0	0	1,500
Planning & Grants	225,863	214,801	178,456	36,345	172,650
Landfill Alternatives	159,941	154,715	119,647	35,068	156,416
Waste Tires Program	50,188	49,075	44,701	4,374	54,438
Waste Recycling	252,386	243,295	242,976	319	289,774
Household Hazardous Waste Adm	345,299	327,633	201,372	126,261	266,668
Waste Reduction Assistance	141,870	138,185	118,737	19,448	159,303
PPIS Setaside					26,470
Pollution Prevention (WRAP)	294,192	277,306	177,638	99,668	69,100
Pollution Prevention 2 (WRAP)					120,200

Waste Reduction Program	30,653	28,262	12,943	15,319	5,100
Solid Waste Reduction Grant	0	0	9,485	(9,485)	0
Collection Efficiency Project					17,500
Sustainable Conference	35,000	32,270	24,000	8,270	0
WMA Division Mngt	244,335	239,306	258,848	(19,542)	260,325
Waste Mngt Assistance Totals	1,781,227	1,704,848	1,388,803	316,045	1,599,444

Note: The WMA FY99 budget reflects the transfer of one position to the I & E budget for WMA related information and education activities.

Mr. Kuhn presented the division reports.

Discussion followed in regard to protecting the computers from lightning blitzes, and a lower WMA budget than in the past due to placing a large project on hold.

INFORMATIONAL ONLY

YEAR 2000 STATUS REPORT

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Iowa State government is addressing the computer Year 2000 issue (Y2K) in a coordinated manner. The Y2K project is being directed, at the enterprise level, by the Department of Management with the assistance of a consultant, CTA, Inc.

Briefly, the Y2K issue relates to the fact that many computer related systems were designed using only the last two digits of the year. Thus, when using the year 2000 in a date-related instruction or calculation, the computer will compare "00" to "98", for example, instead of comparing "2000" to "1998", resulting in an incorrect action.

The role of CTA is to examine or "audit" each agency's plan and progress toward identifying and resolving Y2K issues. DNR progress, to date, is satisfactory. The DNR expects to have Y2K concerns identified and resolved by April, 1999.

The two highest priority mainframe systems involve drinking water regulation and waste water regulation. The drinking water system is being converted from a mainframe system to a P.C. client-server system which is Y2K compliant. The waste water system was last revised in 1988 to be compliant. Tests indicate it is compliant.

Other mainframe systems such as boat and snowmobile registration, deer and turkey permitting, etc., do not use the date as part of system calculations. Thus, they are designated as non-critical, and do not require extensive revision to be Y2K compliant.

Large mainframe systems, such as the State's accounting system, are likewise being tested and either being updated or converted to Y2K compliant software.

P.C. systems are being tested to ensure that the hardware, standard software, and specialized programs are Y2K complaint. If not, appropriate steps will be taken. Large P.C. based systems; air permits, storage tanks, drinking water, etc. were developed using Y2K complaint software. Software vendors have contractually stated the applications are Y2K compliant. These systems will also be tested.

Y2K concerns also involve equipment which utilizes embedded chips. At the DNR, this would primarily impact sophisticated control systems such as those used at fish hatcheries. The State is contacting equipment vendors and requesting they either provide assurances the equipment is Y2K compliant or provide the means to make the equipment Y2K ready.

This work effort is requiring one full time technology person, plus substantial effort by other information technology staff. Costs are being absorbed within the current operating budgets. The DNR does not anticipate requesting additional money or staff for Y2K related work. Contingency plans are being developed for DNR systems if the earlier described measures prove insufficient.

Staff will be present to answer questions commissioners may have regarding this issue.

Mr. Kuhn explained the Year 2000 Program taking place in the department and state government as a whole.

INFORMATIONAL ONLY

NOTICE OF INTENDED ACTION--CHAPTER 219, WASTE TIRE BENEFICIAL END USES

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

Commission Approval Requested

The Commission is requested to approve this Notice of Intended Action for proposed rules establishing requirements for beneficial uses of waste tires. If the Commission approves this Notice of Intended Action the Department will proceed with public notice and hearings to solicit public comments on these rules.

Rule Summary

These proposed rules establish guidelines for the use of whole or processed waste tires for erosion control, drainage structures, civil engineering applications, and other uses. Uses of waste tires approved through this chapter must provide a defined benefit, while not posing a threat to the environment, or to public health, welfare, and safety. The rules address the following:

Dubuque County Regional Collection Center

Hwy. 20 W.

Dubuque, IA 52001

Marylou McQuaide, contact

(319)589-0888

- includes Dubuque and Fayette Counties. This regional collection center is located at the Dubuque Metropolitan Area Sanitary Landfill. The center consists of a permanent building and a mobile unit. Opening date: Household collections began October 20, 1997 and conditionally exempt small quantity generator collections begin early 1998.

Bremer County Regional Collection Center

2049 200th Street

Waverly, IA 50677

Brett Vette, contact

(319)352-4574

- includes Bremer County and may be expanded to also include Butler, Buchanan, Chickasaw and Grundy Counties. This regional collection center will be located at the Bremer County Sanitary Landfill. The center will consist of a permanent building and a mobile unit. Proposed opening date is spring 1998.

Bluestem Regional Collection Center

1954 County Home Road

Marion, IA 52302

Floyde Pelkey, contact

(319) 398-1278

- includes Linn County at a minimum. This regional collection center will be sited at Bluestem Landfill #2. Household collections began March 5, 1998. Conditionally exempt small quantity generator collections will begin July 1998.

Council Bluffs Regional Collection Center *

209 Pearl St.

Council Bluffs, IA 51503

Donn Dierks, contact

(712) 328-4666

- includes Pottawattamie County at a minimum. This proposed regional collection center will be located at 4441 Gifford Road in Council Bluffs. Opened in October 1997 for paint recycling operations only and fall 1998 for collections of other household hazardous wastes.

Southeast Multi-County Solid Waste Agency (SEMCO) Regional Collection Center

29997 Hwy. 78

Richland, IA 52585

Ray Griffin, contact

319-456-6171

- includes Jefferson, Keokuk and Washington Counties. This regional collection center will be sited at the landfill. Household collections began: May 5, 1998.

* Pending approval of their solid waste permit

Ms. Stanley reviewed statistics covering accomplishments by RCC's since 1994. She also explained the accompanying map showing the location of RCC's in Iowa. Brief discussion followed.

INFORMATIONAL ONLY

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT

PROPOSAL	NOTICE TO COMM	NOTICE PUBLISH	RULES REVIEW COMM	HEARING	FINAL SUMMARY TO COMM	RULES ADOPTED	RULES PUBLISH	RULES REVIEW COMM	RULE EFFECTIVE
1. Ch. 20, 22 and 23 - AQ Case-by-Case MACT	5/18/98	6/17/98	7/6/98	7/17/98	*8/17/98	*8/17/98	*9/9/98	*10/5/98	*10/14/98
2. Ch. 20, 22 and 23 - AQ Case-by-Case MACT	----- --	----- -	----- --	EMERGENCY	5/18/98	5/18/98	6/17/98	7/06/98	7/22/98
3. Ch. 22 - Air Quality Permits	2/16/98	3/11/98	4/13/98	4/10/98	6/15/98	6/15/98	7/15/98	*8/10/98	*8/19/98
4. Ch. 22 and 23 - NESHAPS Acid Rain Exemptions and Primary Aluminum Reduction Plants	5/18/98	6/17/98	7/6/98	7/17/98	*8/17/98	*8/17/98	*9/9/98	*10/5/98	*10/14/98
5. Ch. 22, 23, and 25, Hospital, Medical & Infectious Waste Incinerators, & Municipal Waste Combustors	3/16/98	AMEND 7/01/98 4/08/98	8/10/98 5/04/98	*7/31/98 5/25/98	*9/21/98	*9/21/98	*10/21/98	*11/02/98	*11/25/98
6. Ch. 28 - Revised NAAQS	5/18/98	6/17/98	7/6/98	7/17/98	*8/17/98	*8/17/98	*9/9/98	*10/5/98	*10/14/98
7. Ch. 50 - Agricultural Drainage Wells - EMERGENCY	-----	----- -	-----	-----	7/20/98	*7/20/98	*8/12/98	*9/07/98	*7/24/98
8. Ch. 103 - Solid Waste Rules	4/20/98	5/20/98	6/8/98	6/11/98	7/20/98	*7/20/98	*8/12/98	*9/7/98	*9/16/98
9. Ch. 137 - Brownfield Program	7/20/98	*8/12/98	*9/07/98	*9/ /98	*10/19/98	*10/19/98	*11/18/98	*12/07/98	*12/23/98
10. Ch. 217 - Waste Tire End-User Incentive Program - EMERGENCY	-----	-----	-----	-----	6/15/98	6/15/98	7/15/98	*8/10/98	6/26/98
11. Ch. 219 - Waste Tire Beneficial End Users	7/20/98	*7/20/98	*9/07/98	*9/ /98	*10/19/98	*10/19/98	*11/18/98	*12/07/98	*12/23/98

VARIANCE REPORT - JUNE 1998

No.	Facility	Program	Subject	Decision	Date
1	Farm Service Cooperative-Harlan	Air Quality	Permit Requirements	Approved	06/02/98
2	Fischer Controls-Marshaltown	Air Quality	Permit Requirements	Approved	06/04/98
3	Omaha Standard-Council Bluffs	Air Quality	Permit Requirements	Denied	06/18/98
4	University of Iowa-Iowa City	Air Quality	Permit Requirements	Approved	06/04/98
5	Robertson Wetland Structure No.2-Washington County	Flood Plain	Storm/Storage Capacity	Approved	06/24/98
6	Cedar Falls, City of	Wastewater	Monitoring Frequency	Approved	06/18/98
7	Iowa Air National Guard-Des Moines	Wastewater	Monitoring Frequency	Approved	06/01/98
8	Buchanan County Sanitary Landfill	Solid Waste	Groundwater Monitoring	Approved	06/15/98
9	Cedar County Sanitary Landfill	Solid Waste	Groundwater Monitoring	Approved	06/05/98
10	MidAmerican Energy-Maynard Station Generating Plant-Waterloo	Solid Waste	Permit Exemptions	Approved	06/11/98
11	Spencer Municipal Utilities	Watersupply	Construction Materials	Approved	06/01/98
12	Spencer Municipal Utilities	Watersupply	Installation Procedures	Approved	06/01/98
13	West Okoboji Harbor Association-Dickinson County	Watersupply	Siting Criteria	Denied	06/12/98
14	Coon Rapids Municipal Utilities	Watersupply	System Operation	Approved	06/29/98

SPILL REPORT - JUNE 1998

From June 1, through June 30, 1998, 118 reports of hazardous conditions were received.

Month	Total Incidents	Petroleum Product	Ag Chemical	Other Chemicals	Handling Storage	Pipe-line	Highway Incident	RR Incident	Fire	Other
Oct.	70(52)	37(28)	17(10)	16(14)	28(31)	6(0)	28(13)	5(4)	0(0)	3(4)
Nov.	44(33)	25(18)	9(9)	10(6)	15(16)	3(0)	23(12)	2(2)	0(0)	1(3)
Dec.	52(33)	27(20)	19(3)	6(10)	21(16)	4(1)	22(12)	4(0)	0(1)	1(3)
Jan.	42(39)	32(28)	3(4)	7(7)	19(20)	2(1)	16(15)	1(2)	1(0)	3(1)
Feb.	48(54)	28(29)	5(7)	15(18)	24(29)	3(2)	13(20)	2(1)	1(2)	5(0)
Mar.	48(53)	27(37)	11(9)	10(7)	26(29)	0(0)	17(16)	2(4)	0(0)	3(4)
Apr.	60(64)	23(33)	23(25)	14(6)	25(28)	3(0)	25(30)	5(2)	0(0)	2(4)
May	135(103)	58(35)	64(53)	13(15)	58(33)	3(2)	69(61)	2(4)	1(1)	2(2)
Jun.	118(81)	76(42)	24(20)	18(19)	70(49)	3(3)	38(23)	1(6)	0(0)	6(0)

(numbers in parentheses for the same period in fiscal year '97)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
20	14	4	14	38	28

ENFORCEMENT STATUS REPORT

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Kind and Knox Gelatine, Inc. Sioux City (3)	Air Quality	Construction Without Permit; Emission Standards, Opacity	Order/Penalty \$10,000	6/04/98
National Cooperative Refinery Assoc., Council Bluffs (4)	Air Quality	Construction Without Permit	Order/Penalty \$1,000	6/04/98
Bar K Farms, Sioux Co. (3)	Animal Feeding Operation	Prohibited Discharge-Open Feedlot; Water Quality Violations-General Criteria	Order/Penalty \$2,000	6/04/98
Rodney Mullins, Humboldt Co. (2)	Animal Feeding Operations	Prohibited Discharge- Confinement	Order/Penalty \$500	6/04/98
Northland Pork, Inc., Hancock Co. (2)	Animal Feeding Operations	Prohibited Discharge-Confinement; Water Quality Violations-General Criteria	Order	6/04/98
Troy Hanson, Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge-Confinement; Water Quality Violations-General Criteria	Order/Penalty \$1,500	6/09/98
Charles and Ruth Gassman d/b/a Gassman's MHP, Dubuque (1)	Drinking Water	Monitoring/Reporting-Nitrate	Referred to AG	6/15/98
Fairfield, City of (6)	Wastewater	Discharge Limits	Consent Order/Penalty \$5,000	6/18/98
Jewel's Food & Spirits, Linn Co. (1)	Drinking Water	MCL-Bacteria	Emergency Order	6/19/98
Fountain Springs Park; Delaware Co. Conservation Board (1)	Drinking Water	MCL-Bacteria	Emergency Order	6/19/98
Frank Bollin, Woodbury Co. (3)	Flood Plain	Construction Without Permit	Order/Penalty \$2,000	6/22/98
Albert Flemming, Clayton Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty \$2,000	6/22/98
Rural Iowa Waste Management Assoc., Eldora (2)	Underground Tank	Construction Deficiencies	Order/Penalty \$500	6/22/98
Paul Niemann Construction Co., Sumner (1)	Wastewater	Discharge Limits; Prohibited Discharge; Water Quality Violations- General Criteria	Order/Penalty \$2,000	6/30/98
Vermeer Manufacturing, Pella (5)	Air Quality	Construction Without Permits	Referred to AG	6/30/98

SUMMARY OF ADMINISTRATIVE PENALTIES

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Norman Klynsmas d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
Searsboro, City of	WW	2,500	11-08-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
Mark Anderson d/b/a Westside Park for Mobile Homes;			
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
Hofer's Danceland Ballroom (Walford)	WS	3,188	4-19-97
Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
*Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	9,530	6-05-97
Fibred-Iowa, Inc. (Iowa Falls)	AQ	2,000	7-29-97
Roy E. Hawkins (Newton)	SW	1,000	10-22-97
South Park Mobile Home Park (Iowa Falls)	WW	1,000	1-04-98
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas			
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	3-31-98
# Harold Unternahrer (Washington Co.)	AFO	3,000	4-06-98
*#John Adam (Keokuk Co.)	WW	2,500	4-15-98
Webb, City of	WS	2,000	4-27-98
Sale-R-Villa Const., Inc. (Perry)	AQ	7,000	5-01-98
Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle)	WW	1,500	5-05-98
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	1,800	7-15-98
*#Leroy Wulf (Des Moines Co.)	WW	750	7-03-98
# Rodney Mullins (Humboldt Co.)	AFO	500	8-22-98
National Cooperative Refinery Assoc. (Council Bluffs)	AQ	1,000	8-08-98
Kind and Knox Gelatine, Inc. (Sioux City)	AQ	10,000	8-08-98

# Troy Hanson (Wright Co.)	AFO	1,500	8-14-98
Fairfield, City of	WW	5,000	7-18-98
Deer Ridge Estates (Ottumwa)	WS	100	-----
Charlie's Supper Club (Algona)	WS	100	-----
Bar K Farms (Sioux Co.)	AFO	2,000	8-09-98
Frank Bollin (Woodbury Co.)	FP	2,000	-----
Albert Fleming (Clayton Co.)	FP	2,000	-----
Paul Niemann Construction Co. (Sumner)	WW	2,000	-----
Oakland Mills Store (Mt. Pleasant)	WS	200	-----
Pewe Mercantile, Inc.; Dion Pewe (Grand Mound)	UT	10,000	-----
Eagle Lane Corp. (Blue Grass)	WS	4,000	-----
	TOTAL	133,563	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
*R.V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
	TOTAL	67,904	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
Waverly Gravel & Ready-Mix aka Shell Rock Sand and		
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000

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Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Tom Wiseman (Sheffield)	UT	3,500
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc.		
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty		
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Holiday Mobile Lodge, Inc. (Johnson Co.)	AQ/SW	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Roy Burger (Gillette Grove)	UT	5,400
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Russell Stagg (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Dallas County Care Facility (Adel)	WW	2,500
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000

Margaret and Gene Palmersheim d/b/a G & M Service Mart		
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc.	AQ/SW	4,000
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000
Carroll, City of	WS	3,000
Todd L. Salow (Washington)	AQ/SW	5,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro	SW/WW	10,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition;	AQ/SW	1,000
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Craig Burgin (Indianola)	UT	600
Wayne Johnson (Rockford)	AQ/SW	1,000
Sylvan Acres (Janesville)	WS	1,000
Paul Behounek; Todd Behounek (Tama Co.)	AQ/SW	7,100
Delaware County Landfill, Inc.	SW	5,000
Brittany Estates Addition (Manchester)	WS	4,000
Kruger Seed Co. (Dike)	AQ	3,000
Al DeCarlo Demolition Co. (Des Moines)	AQ	5,000
Ritchie Industries, Inc. (Conrad)	AQ	3,000
Bob Luke d/b/a D & R Tree Service (Washington)	AQ/SW	1,000
Country Pumpkin (Deloit)	WS	500
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500
Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Comm.	SW	10,000
Advanced Technologies Corp. (Waterloo)	AQ	7,500
Biovance Technologies, Inc. (Oskaloosa)	AQ	4,000
Stellar Industries, Inc. (Garner)	AQ	3,000
Joyce Wagner; Bruce Manthe d/b/a Wagner Truck Wash		
Iowa Mold Tooling Co., Inc. (Garner)	AQ	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
Walnut Grove Water Company (Davenport)	WS	2,500
Big Ten Mart/Truck Stop (Lowden)	WS	5,000
North Central Cooperative (Clarion)	WW/HC	2,000
# Iowa Select Farms, L.P. (Hardin Co.)	WW	1,500
Troy Elevator, Inc. (Troy)	WW/HC	4,000
Milton, City of	SW/AQ	1,000
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
# Iowa Select Farms, L.P. (Sow 8) (Wright Co.)	WW/HC	3,000
Sac City, City of	WW	4,000
Rockwell City, City of	WW	10,000
James Mills (Webb)	AQ/SW	3,000
Webb, City of	AQ/SW	3,000
Ira and Debby Cooley; Karen Sauer (Keokuk Co.)	AQ/SW	1,000
# Irvin Leichty (Henry Co.)	WW	3,000
Ed Engelbrecht d/b/a E & E Auto Salvage (Lee Co.)	AQ/SW	1,000
Enviro Safe Air, Inc. (Creston)	AQ	10,000
Pathway Christian School (Kalona)	WS	500
Pictured Rocks Methodist Campt (Monticello)	WS	700
Wiese Corporation (Perry)	AQ	5,000
Ben Haven Mobile Home Park	WS	5,500
Howard Victor and Wanda Victor (Des Moines)	UT	10,000
	TOTAL	487,245

- Beneficial use designations for applications of whole, shredded, cut, and baled waste tires;
- Requirements to notify the Department of intended beneficial use project locations;
- Requirements for Department review and approval of larger beneficial-use projects;
- Provisions to petition the Department for approval of potential beneficial uses not addressed within the rules;
- Statements that beneficial use projects may be subject to other local, state, and federal guidelines outside of Department approval (local zoning and building codes, floodplain management); and,
- Authority of Department to deny any proposed beneficial use application, if the Department determines that the proposed use presents a threat to the environment, public health, safety, or welfare.

The rules approve the following uses for waste tires:

Whole waste tires	Shredded tires*	Baled tires*
<ul style="list-style-type: none"> • playground equipment • dock bumpers • crash barriers at racetracks • silage and hay tarpaulin cover weights • structures for military and police training • artificial fishing reefs • streambank erosion control structures • drainage culverts 	<ul style="list-style-type: none"> • “French drain” structures • septic system leach field • light-weight fill for public road constructions • public road embankments • bulking agent for compost <p>* must be 18” or less pieces</p>	<ul style="list-style-type: none"> • streambank stabilization • erosion control structures • other civil engineering applications <p>* must be conducted under direction of professional engineer if more than 100 cubic yards</p>
Cut waste tires	The following uses shall not require an individual beneficial use designation, or approval for use:	
<ul style="list-style-type: none"> • silage and hay tarpaulin cover weights • traffic control devices • portable surfaces • silt collection fences • under-turf water retention at golf courses 	<ul style="list-style-type: none"> • <u>crumb rubber</u> used for asphalt modifiers, surfaces, or as incorporated into other products; • <u>tire-derived fuel</u> used as a fuel supplement; and, • <u>carbon black</u> recovered from thermal or oxidative decomposition processes. 	

Benefits of the Proposed Rules

Adoption of these proposed rules will establish approved applications for the beneficial reuse of waste tires. The rules will provide clearly defined guidelines for waste tire processors, recyclers, and citizens regarding the use of waste tires in projects or constructions. The proposed rules also set forth procedures for individuals to request that applications or projects not specifically addressed in the rules be considered beneficial reuse.

Background

During the 1996 Session, the Iowa General Assembly adopted comprehensive waste tire management legislation, HF2433. One of several components within HF2433 included a directive for the Department to establish administrative rules defining beneficial uses of whole or processed waste tires. The rules were to include guidelines for the use of waste tires where the intended purpose would be to produce a beneficial product or end-use. Such end-uses were to include erosion control structures, French drains, leachate recovery systems, septic drainage fields, road bases, culverts, and other uses. The legislation stated that the Department shall develop the rules in conjunction with a technical advisory committee composed of representatives from specified groups and organizations.

Beginning in December of 1996 the Department invited and received acceptance from individuals to serve on this advisory committee. The Department hosted work-sessions with the committee members in the spring of 1997, wherein staff from the Environmental Protection Division and the Waste Management Assistance Division gained input and recommendations from the committee. The advisory committee members are as follows:

- Chris Frantsovog, Spectrum Recycling Industries, Decorah (Iowa Society of Solid Waste Operators)
- Rick Robinson, Iowa Farm Bureau Federation (major farm organization)
- Bob Gumbert, Tama County Engineer (Iowa State Association of Counties)
- Ron Osterholm, Cerro Gordo County Public Health (Iowa State Association of Counties)
- Scott Renault, PE, Fox Engineering (Consulting Engineers Council of Iowa)
- Don Grell, Tire Chop, Ft. Dodge (tire processor)
- Rob Jahries, UT Tire, Des Moines (tire processor)

After these sessions, the committee requested that the Department develop a draft of the rules. To accomplish this task, the Department conducted a review of other states' waste tire programs, studied new technologies related to waste tire recycling, and reviewed findings from a recent Iowa State University engineering study completed in April 1998. This study analyzed the feasibility of the use of whole or shredded waste tires in certain civil engineering applications. Iowa State's study provided valuable information and findings, and the Department then completed the draft of these rules in May of 1998.

The Department provided this draft to the advisory committee members and related Department staff for final review and comment. These proposed rules represent the completion of this process.

Approval of this Notice of Intended Action will implement the provisions of 1996 Acts, House File 2433, Section 9. If the Notice of Intended Action is approved by the Commission, public notice and hearings will be conducted to solicit public comments on these rules.

ENVIRONMENTAL PROTECTION COMMISSION [567] Notice of Intended Action

Pursuant to the authority of 1996 Iowa Acts, House File 2433, section 9., the Environmental Protection Commission hereby gives Notice of Intended Action to adopt Chapter 219, "Beneficial Uses of Waste Tires," Iowa Administrative Code.

This new chapter establishes guidelines for the use of whole or processed waste tires for erosion control, drainage structures, civil engineering applications, and other uses where the intended purpose is to produce a beneficial product or an end use. Beneficial uses of waste tires approved through this chapter shall not pose a threat to the environment, or to public health, welfare, and safety.

Any interested party may make written suggestions or comments on the proposed rules on or before September 2, 1998. Such written comments should be directed to Mel Pins, Waste Management Assistance Division, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034; fax (515)281-8895. Persons who wish to convey their views by telephone should also contact Mel Pins, Waste Management Assistance Division at (515)281-8646 or at the Division offices on the fifth floor of the Wallace State Office Building.

A public hearing will be held on Wednesday, September 2, 1998, at 1 p.m. in the Fifth Floor East Conference Room, Wallace State Office Building, Des Moines, Iowa, at which time comments may be submitted either orally or in writing. At the hearing persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the rule.

Any persons who plan to attend a public hearing and have special requirements such as hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

These rules are intended to implement 1996 Iowa Acts, House File 2433.

The following new chapter is proposed.

The following new chapter is proposed:

CHAPTER 219 BENEFICIAL USES OF WASTE TIRES

567--219.1(455D) Purpose. The purpose of this chapter is to establish guidelines for the use of whole or processed waste tires for erosion control, drainage structures, civil engineering

applications, and other uses where the intended purpose is to produce a beneficial product or an end use.

567--219.2(455D) Definitions. As used in this chapter:

“Bagel Cut” means to cut a tire in half along its circumference.

“Baled Tire” means a method of compacting a waste tire whereby whole or cut tires are compressed into a bundle and then banded together. A tire bale shall be considered a solid waste.

“Beneficial Use” means the use or application of a whole or processed waste tire in a manner that provides a benefit to an end user, other than from processing or recycling, and which does not pose a threat to the environment, or to public health and safety. Use of waste tires primarily as means for land disposal shall not be considered a beneficial use.

“Civil Engineering Applications” means a form of reusing waste tires, either whole or processed, in place of naturally occurring materials in construction, as long as the waste tires provide a defined engineering benefit.

“Cut Waste Tire” means a waste tire where the tire face, tread, or sidewall has been cut or removed, and these removed portions are to be beneficially reused. A cut tire shall consist of pieces greater than 18” on any one side.

“Department” means Iowa department of natural resources.

“End User” means an entity that receives whole or processed tire material and uses it as a finished product, as raw material for a manufacturing process, or other beneficial use.

“Energy Recovery” means the extraction of the fuel or heat value from whole or processed tires through their combustion.

“Passenger tire equivalent” means the equivalent weight of one passenger car tire which will be 20 pounds for the purpose of estimating waste tire amounts from a total weight figure.

“Shredded Tire” means a tire cut into pieces not greater than 18” in any one dimension.

“Site of end use” means a site where whole or processed waste tires are recycled or reused in a beneficial manner authorized by the department.

“Tire processor” means a person who reduces waste tires into a processed form suitable for recycling, producing fuel for energy or heat, or any other beneficial use as authorized by the department. “Tire processor” does not mean a person who retreads tires or processes and stores tires.

“Waste tire” means a tire that is no longer suitable for its originally intended purpose due to wear, damage, or defect. “Waste tire” does not include a nonpneumatic tire.

“Whole tire” means a waste tire that has not been processed or shredded in any manner, and which still retains the general shape and volume of a tire.

567--219.3(455D) Role of the department of natural resources. The department is responsible for the administration of the requirements of this chapter, and will ensure that all approved uses of whole or processed waste tires do not pose a threat to the environment, or to public health, welfare, and safety. The department shall have the authority to determine if a proposed use of waste tires is beneficial, and shall have the authority to approve or deny beneficial use applications if such a benefit is not evident.

567--219.4(455D) Waste tire products exempted. The following end uses of materials derived, processed, or recycled from waste tires shall be considered beneficial reuse under this chapter, and shall not require an individual beneficial use designation from the department for their use at a specific site of end use.

1. Asphalt rubber, including asphalt cement modified with a crumb rubber modifier;
2. Buffing rubber, defined as high quality tire rubber which is a by-product from the conditioning of tire casings in preparation for retreading;
3. Carbon black derived from the thermal or oxidative decomposition of tires;
4. Crumb rubber material derived by reducing waste tires or other rubber into uniform granules with the inherent reinforcing materials such as steel and fiber removed along with other contaminants, including rubber granules used for soil amendments or surfacing materials;
5. Crumb rubber modifiers, which is waste tire derived material used as a modifier in asphalt paving materials;
6. Tire-derived fuel (TDF), which is a fuel derived from waste tires, including whole tires, processed into pieces which satisfy the specifications of the end-user for use as either a primary or supplemental fuel. Use of TDF will require modification of air source construction and operation permits if such use is not already recognized in the end users permit.

567--219.5(455D) Beneficial uses for whole waste tires. This section establishes acceptable beneficial uses for whole waste tires, and required notifications and approvals that must be obtained from the department prior to placement of waste tires at the site of end use.

219.5(1) Beneficial uses. The following applications shall be considered acceptable beneficial uses for whole waste tires:

- a. Tire swings, sandboxes, or other equipment for child play areas at schools, care centers, and recreational areas;
- b. Dock bumpers at vehicle loading/unloading docks or marine docks;
- c. Crash barriers at racetracks;
- d. Agricultural uses to hold down covers over hay, silage, and other agricultural commodities. When not in use, the tires should be neatly stacked;
- e. Structures for military and police training at facilities under ownership or management of local, state, or federal agencies;
- f. Artificial fishing reefs and fish habitat structures constructed at facilities under ownership or management of a county conservation board, the department, or a federal agency;
- g. Streambank erosion control and culvert outlet tire mats, constructed as follows:
 1. Tires shall be placed in a single layer, with tires banded together with a non-corrosive strip;
 2. The tires shall all be drilled or punctured to allow for outflow of air to prevent floatation during submerged conditions;
 3. The banded mat shall be anchored with cable of at least 0.5 inches in diameter;
 4. The cables shall then be fastened to buried anchors made of treated timbers or concrete, at least every 50 feet along the top of the mat, and intermittently in the middle;

5. The mat should extend four to six feet out on the channel bottom;
6. The outermost row on the channel bottom shall be filled with rocks or broken concrete;
7. Vegetation shall be planted in and around the tire mat; rows within the tire mat that are too wet for vegetation establishment shall be filled with rocks or broken concrete, and;
8. Any variation from these design standards shall be acceptable only under the direction of an Iowa licensed professional engineer.
- h. Construction of residential dwelling structures or other buildings for which a building permit has been obtained from local government officials;
- i. Culvert piping made from waste tires with a rim diameter of 21" or greater, and subject to the following design criteria:
 1. The maximum depth of water flows within the culvert shall be no greater than seventy-five percent of the piping diameter;
 2. Sand or similar aggregate material must be installed in the lower portions of the culvert piping to provide ballast and to limit mosquito infestations;
 3. The culvert must not be installed below the seasonal groundwater high elevation;
 4. The maximum depth of earthen or aggregate coverings over the culvert shall not exceed the outside diameter of the whole tires used in the culvert
 5. Soils used for backfill around and above the culvert shall be compacted so as to provide a culvert deflection of less than 5% of the outside diameter, and;
 6. Vertical sections of tire culvert piping shall be designed with safety measures to prevent unauthorized access or hazards to children and animals.

219.5(2) Required notifications and approval. Prior to the installation or placement of beneficial uses of whole waste tires as approved in section 219.5(1), the owner or operator of the site of end-use shall properly notify or seek approval from the department's environmental protection division-solid waste section for the proposed beneficial use under the following circumstances:

- a. For applications of less than 250 whole waste tires, notification to the department shall not be required, subject to the end-users compliance with all requirements of this chapter.
- b. For applications of 250 to 500 whole waste tires the department shall be notified in writing no less than 30 days prior to the construction or placement of waste tires for a beneficial use, with the following information provided:
 1. The name of the owner, operator, or individual to be responsible for the beneficial use application at the site of end use, including address, and phone number;
 2. The address of the beneficial site of end use;
 3. The estimated total number of tires to be used;
 4. A description of the beneficial use application, and;
 5. A project timeline, including proposed project start and end dates.
 6. A statement regarding how such waste tires shall be properly disposed of by the site owner in the event that the beneficial use is discontinued or dismantled.
- c. For applications of 500 or more waste tires approval by the Department

shall be obtained prior to any such applications. Approval requests shall be made to the department in writing and shall contain all information as requested in 219.5(2)*b.*, as well as a scaled plan of the site of end use with areas noted where whole waste tires are to be placed, including locations of the site of end use property lines, and the location of any structures within 500 feet of the site of end use.

219.5(3) *Prevention of public health risks.* All beneficial uses of whole waste tires as approved in this section shall incorporate into their design and construction measures to prevent the retention and stagnation of water, in the event that such conditions are likely to exist. These measures shall include, at a minimum, the piercing or drilling of holes in whole waste tires to allow for water drainage. Such measures shall be designed to minimize risks to public health and safety caused by the breeding of disease carrying insects and rodents.

219.6(455D) Beneficial uses for shredded waste tires. This section establishes acceptable beneficial uses for shredded waste tires, and required design criteria that shall be observed in the placement of shredded tires at the site of end use.

219.6(1) *Beneficial uses.* The following applications shall be considered acceptable beneficial uses for shredded waste tires:

a. Horizontal drainage "French drain" structures designed to lower the groundwater table and to transport excess water to another location or drainage structure, to be constructed as follows:

1. The elevation of the drain outlet must be lower than the average seasonal groundwater table, so as to allow gravity drainage through the drain structure;
2. The drainage structure width shall be no less than three feet and no more than six feet;
3. The minimum depth of shredded tire material in the trench shall be greater than four feet;
4. The minimum thickness of backfill over the trench shall be two feet;
5. Headloss of water flowing through the drain shall be due to elevation changes only, and;
6. Any site of end use to contain drainage structures composed of more than 300 cubic yards of shredded tires shall be constructed under the auspices of an Iowa licensed professional engineer.

b. On-site wastewater treatment and disposal system construction, to include use of shredded tires in lateral trenches and as fill to cover distribution pipes, under the following conditions:

1. The on-site wastewater treatment and disposal system is constructed and permitted according to the requirements of Chapter 567-69;
2. Shredded tires to be used in the system shall have a minimum dimension of one inch on any one side and a maximum dimension of three inches on any one side, and;
3. The administrative authority responsible for issuance of the permit approves the beneficial use. The authority shall have the sole discretion to deny use of shredded tires in system construction based on any engineering or design principle concerns.

c. Light weight fill in public roads, public road embankment construction, and other public civil engineering applications, if all the following conditions are met:

1. The tire shreds are of uniform composition and sizing;

2. The tire shreds are not mixed with other solid wastes, vegetation, composted materials, or other processed tire products, including separated tire bead wire, steel cording or nylon fibers.
3. The tires are not placed in direct contact with surface or ground water,
4. The shredded tires are isolated from overburden materials by a protective membrane or liner to prevent intrusion and settling of overburden, and;
5. An Iowa licensed professional engineer designs and supervises the incorporation of shredded tires in beneficial uses of this manner.
- d. Structural foundation drainage material used in a project as approved through a local building permit; and,
- e. A bulking agent for composting operations at permitted composting facilities, with tire shreds used to be no larger than three inches on any one side.

219.7(455D) Beneficial uses for baled waste tires. This section establishes acceptable beneficial uses for baled waste tires, and required notifications and approvals that must be obtained from the department prior to placement of baled tires at the site of end use.

219.7(1) Beneficial uses. Civil engineering applications including streambank and soil erosion control shall be considered acceptable beneficial use applications for baled waste tires. Such applications involving the use of more than 50 cubic yards of baled waste tires to be used at any one site of end use must be conducted under the immediate direction of one of the following entities:

1. A Federal agency, including but not limited to the Army Corps of Engineers, a Resource Conservation and Development district office, or the Bureau of Land Management;
2. A State agency, including but not limited to, the Iowa Department of Transportation; or,
3. An Iowa licensed professional engineer.

219.7(2) Required notifications and approval. Prior to the installation or placement of beneficial uses of baled waste tires as approved in section 219.7(1), the owner or operator of the site of end-use shall properly notify or seek approval from the department's environmental protection division-solid waste section for the proposed beneficial use under the following circumstances:

- a. For applications of less than 25 cubic yards of baled waste tires at a site of end use, notification to the department shall not be required, subject to the end-users compliance with all requirements of this chapter.
- b. For applications of 25 to 50 cubic yards of baled waste tires the department shall be notified in writing no less than 30 days prior to the construction or placement of waste tires for a beneficial use, with the following information provided:
 1. The name of the owner, operator, or individual to be responsible for the beneficial use application at the site of end use, including address, and phone number;
 2. The address of the beneficial site of end use;
 3. The estimated total number of cubic yards of tires to be used;
 4. A description of the beneficial use application;
 5. A project timeline, including proposed project start and end dates, and;

6. A statement regarding how such waste tires shall be properly disposed of by the site owner in the event that the beneficial use is discontinued or dismantled.

c. For beneficial use applications of 50 or more cubic yards of baled waste tires approval by the department shall be obtained prior to any such applications. Approval requests shall be made to the department's environmental protection division-solid waste section in writing and shall contain all information as requested in 219.7(2)b., as well as a scaled plan of the site of end use with areas noted where baled waste tires are to be placed, including locations of the site of end use property lines, and the location of any structures within 500 feet of the site of end use.

219.8(455D) Beneficial uses for cut waste tires. This section establishes acceptable beneficial uses for cut waste tires. Notifications and approvals shall not be required by the department prior to the use or placement of cut tires at a site of end use as approved in this section, so long as such uses incorporate into their design and construction measures to prevent the retention and stagnation of surface water, in the event that such conditions are likely to exist. Such measures shall be designed to minimize risks to public health and safety caused by the breeding of disease carrying insects and rodents.

219.8(1) Beneficial Uses. The following applications shall be considered acceptable beneficial uses for cut waste tires:

- a. Agricultural uses to hold down covers over hay, silage, and other agricultural commodities.
- b. Traffic control devices for use in public roadway construction projects;
- c. Portable surfaces manufactured from tire faces or tread;
- d. Silt collection fences manufactured from tire faces or tread; and,
- e. Bagel cut tires used for under-turf water conservation and turf growth enhancement systems at golf courses.

219.9(455D) Requests for approval of other beneficial use designations. The department shall have the authority to approve or deny requests for beneficial use applications for whole, shredded, baled, or cut waste tires that are not specifically addressed within this chapter. Requests for such use determinations shall be made to the department's environmental protection division-solid waste section in writing. The department may request project descriptions and supporting scientific and engineering data to determine if a request for a beneficial use designation is warranted. The department shall have the sole authority to deny a beneficial use request if the department determines that any one of the following conditions exist:

1. The requested beneficial use designation poses a risk to the environment, or to public health, welfare, and safety;
2. The requested beneficial use designation is determined to have the primary purpose as a land disposal mechanism; and any beneficial use would be incidental in nature; or,
3. The requested beneficial use designation would not be in accordance with other applicable federal, state, or local laws, regulations, and ordinances.

219.10(455D) Compliance with local, state, and federal regulations. Any proposed beneficial use project or application of whole, shredded, baled, or cut waste tires may require

approval or permits from federal, state, and local agencies, under other laws, regulations, and ordinances, as applicable, including but not limited to, the following:

- a. The Army Corps of Engineers for projects involving navigable waterways, and other waterways over which they have jurisdiction;
- b. Waste tire beneficial use applications involving placement on or within land or waters contained within a floodplain shall have necessary approval from the department's floodplain management program, as specified in 567--Chapter 70-75; and,
- c. Local building codes, zoning and land-use covenants, ordinances, and guidelines.

219.11(455D) Storage of waste tires prior to beneficial use application. Whole, shredded, cut, or baled tires to be used for a beneficial use application may be stored at the site of end use, subject to the following requirements:

- a. Tires may be stored in piles or bales for no longer than 60 days prior to the date of application, excepting whole waste tires for agricultural uses as specified in 219.5(1)d.;
- b. All storage of such waste tire materials shall be conducted in accordance with current statutes of the Uniform Fire Code, and shall also meet the following requirements:
 1. No single tire pile shall contain more than 50,000 cubic feet of waste tire material;
 2. The highest (vertical) dimension of any tire pile shall not exceed 10 feet;
 3. The largest surface area covered by a pile shall not exceed 5,000 square feet; and,
 4. Fire lanes having a minimum width of 40 feet must be maintained between any two tire piles.
- c. Any storage of waste tires associated with a proposed beneficial reuse project at a site of end use that exists longer than 60 days without implementation of completion of a beneficial reuse project shall be subject to the waste tire storage permitting requirements as contained in 567--Chapter 117.

These rules are intended to implement 1996 Iowa Acts, House File 2433, section 9.

Ms. Stanley reviewed the rules in detail.

Discussion followed regarding the use of shredded tires below grade to let water flow through; use in landfills under drain system to collect leachate; exemptions for users with under 500 tires; acceptable uses; and a visual picture of 250 shredded tires.

Ms. Stanley noted that she will put together a volume/metric information sheet on shredded tires.

Motion was made by Charlotte Mohr to approve Notice of Intended Action--Chapter 219, Waste Tire Beneficial End Uses. Seconded by Dean McWilliams. Motion carried unanimously.

Rozanne King requested that staff add the definition of "crumb rubber" under the Definitions section of the rule.

APPROVED AS PRESENTED

WASTE TIRE MANAGEMENT COUNTY GRANT PROGRAM CONTRACTS

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

Commission Approval Requested

The Department has accepted and reviewed applications for fiscal year 1999 funds that are currently available through Chapter 215 "Waste Tire Management County Grant Program." In this annual grant round 45 applications were received, representing a total of 87 counties (12 regional applications representing multiple counties were received). Applicants requested a total of \$1,503,138; a total of \$1,100,000 is available for allocation. Of these applications the Department has recommended 44 for receipt of all of the available grant funds.

A listing of all grant applicants recommended by the Department for award is provided to the Commission for their information. The Commission is also requested to approve contracts for four (4) of the twelve (12) recommended applicants that are in excess of \$25,000. The Department anticipates bringing remaining contracts to the Commission for approval in August, as those contract recipients must first complete expenditure reports from funds awarded last year, before new funds may be issued.

County Grant Program Summary

The Iowa General Assembly adopted comprehensive waste tire management legislation, HF 2433, during the 1996 Session. One component of HF2433 is a grant program for counties, designed to promote the proper management of waste tires at the community level. Administrative rules for the grant program are established under Chapter 215, Waste Tire Management County Grant Program.

The program's grant funding is available to counties on a competitive basis, through an annual grant application process. Grant funding is available for six fiscal years (1997-2002). Grant awards will be allocated to county boards of supervisors, or to designees of each board, for which a grant application has been approved by the Department. Designees may include public or private entities.

Grants are used for establishing and implementing local public education programs on proper waste tire management. Education programs include information on proper tire maintenance, the hazards of improper disposal, and options for proper tire disposal normally available in the area. The programs also include the hosting of waste tire "amnesty" collection events whereby a designated site(s) within each participating county will temporarily allow for the collection of waste tires from the public without a fee. All programs have identified a processor or method of beneficial end use for the waste tires collected through the program.

Since the program's inception in the fall of 1996 the Department has allocated over \$1.7 million to counties. The program has served over 75 of Iowa's counties, and has accounted for the proper collection and recycling of over 2 million waste tires. Counties have taken initiatives to educate citizens concerning waste tire issues by creating educational programs, brochures, and media campaigns through funds awarded. These initiatives are coordinated with high school driver education classes, local solid waste recycling education programs, and other local government agencies.

Applicant Summary

- 45 applications were received, representing 87 counties
- 12 of the applicants filed "regional" applications, accounting for 52 of the total counties
- Applicants included county boards of supervisors, solid waste associations, environmental health departments, and regional council of governments (COGs)
- \$1,503,138 in grant funds was requested
- \$1,100,00 in grant funds is available for allocation
- As the total amount requested by applicants exceeds the funding available, applications may have received less funding than requested
- Only one application was not recommended for funding, due to lack of defined end-use for tires to be collected

Review Process

Applications were reviewed by a grant review team consisting of two Waste Management Assistance Division staff and one Environmental Protection Division staff person. The team reviewed overall scores of the applicants based on a 100 point criterion, as specified in the rules for the program. The team also considered the amount of funds requested by an applicant as compared to the county's total population in making recommendations for funding awards.

Only one county was not recommended for funding through the review process. This county failed to adequately address concerns related to proposed long-term storage of tires that were planned to be collected. The application also lacked detail concerning how tires collected would be put to a beneficial reuse or processed accordingly.

The following tables provide a listing of all grant applicants recommended by the Department for funding awards in fiscal year 1999. Recommended recipients of \$25,000 or more are listed in the table shown below, with a notation for those specific recipients that have attached contracts for Commission consideration.

APPLICANT (with recommended awards over \$25,000)	COUNTY REPRESENTED	GRANT AWARD	APPROVAL REQUESTED
Council Bluffs Health Department	Pottawattamie, Mills	\$30,000	
East Central Iowa Council of Governments	Benton, Iowa, Tama, Johnson, Jones, Linn	100,000	
Iowa Northland Regional Council of Governments	Black Hawk, Bremer, Buchanan, Butler, Chickasaw	95,000	yes

Metro Waste Authority	Polk	50,000	
North Iowa Area Council of Governments	Cerro Gordo, Floyd, Franklin, Hancock, Kossuth, Mitchell, Winnebago, Worth	95,000	
Northwest Iowa Area Solid Waste Agency	Clay, Lyon, Obrien, Osceola, Sioux	65,000	yes
Northwest Iowa Planning and Development Commission	Dickinson, Emmet, Palo Alto, Pochahontas	42,500	yes
Ottumwa/Wapello Solid Waste Commission	Wapello, Davis, Van Buren, Appanoose	45,000	yes
South Central Iowa Solid Waste Agency	Lucas, Marion, Monroe, Poweshiek	42,500	
Scott County Board of Supervisors	Scott	40,000	
Southeast Iowa Multi-County Solid Waste Agency	Jefferson, Keokuk, Washington	27,500	
West Central Iowa Solid Waste Management	Audubon, Carroll, Crawford, Ida, Shelby	75,000	

Remaining applicants that the Department has selected for funding awards of less than \$25,000 are listed in the table below:

APPLICANT (awards under \$25,000)	COUNTY REPRESENTED	GRANT AWARD
Adair County Sanitary Landfill Commission	Adair	\$ 8,500
Allamakee County Solid Waste Commission	Allamakee	10,000
Boone County Board of Supervisors	Boone	12,500
Buena Vista County Environmental Health	Buena Vista, Sac	22,500
Cass County Solid Waste Commission	Cass	12,500
Cedar County Solid Waste Commission	Cedar	10,000
Cherokee County Board of Health	Cherokee	10,000
Clarke County Landfill Commission	Clarke	7,500
Clinton County Area Solid Waste Agency	Clinton	12,000
Dallas County Board of Supervisors	Dallas	14,000
Delaware County Solid Waste Disposal Comm.	Delaware	12,500
Des Moines County Board of Supervisors	Des Moines	12,500
Dubuque Metropolitan Area Solid Waste Agency	Dubuque	15,000
Guthrie County Board of Supervisors	Guthrie	7,500
Hamilton County Solid Waste Commission	Hamilton	12,500
Hardin County Solid Waste Commission	Hardin	10,000
Harrison County Landfill Commission	Harrison	10,000
Howard County Department of Waste Management	Howard	8,000
Jackson County Board of Supervisors	Jackson	10,000
Jasper County Board of Supervisors	Jasper	12,500
Madison County Board of Supervisors	Madison	10,000
Mahaska Connate Solid Waste Mgmt. Commission	Mahaska	8,000
Marshall County Solid Waste Management	Marshall	12,000

Muscatine County Board of Supervisors	Muscatine	12,500
Page County Landfill Association	Page	10,000
Plymouth County Solid Waste Agency	Plymouth	10,000
Story County Health Department	Story	15,000
Union County Landfill Commission	Adams, Taylor, Union	23,000
Warren County Board of Supervisors	Warren	10,000
Wayne County Board of Supervisors	Wayne	7,000
Winneshiek County Board of Supervisors	Winneshiek	12,500
Woodbury County Area Solid Waste Agency	Woodbury	22,500
Wright County Board of Supervisors	Wright	10,000

At this time the Commission is requested to approve contracts for the following recipients:

- Iowa Northland Regional Council of Governments \$95,000
- Northwest Iowa Area Solid Waste Agency \$65,000
- Northwest Iowa Planning and Development Commission \$42,500
- Ottumwa/Wapello Solid Waste Commission \$45,000

These contracts are attached for review. Remaining contracts will be brought to the commission in August.

(A copy of the Scope of Work for each contract is on file in the department's Records Center)

Ms. Stanley reviewed the program and discussed details of the contracts.

Motion was made by Rozanne King to approve the Waste Tire Management County Grant Program contracts as presented. Seconded by Charlotte Mohr. Following brief discussion the motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Debbie Neustadt

Debbie Neustadt, Sierra Club, addressed the issue of Iowa's water quality, and the smog & soot regulations coming before the Commission for approval next month. She distributed a paper about Iowa waters, published by the Natural Resource Defence Council. She also distributed printed material about Water Quality Monitoring in Iowa and a Sierra Club brochure entitled "Is Piglet Poisoning the Well?" Ms. Neustadt noted that the Sierra Club is concerned since Iowa has not submitted its 303D list on impaired waters. She related that the 303D list was due in April and DNR staff are working on the list, adding that Sierra Club would support a budget that would reflect getting the reports submitted on time and that would help to clean up the problem. Ms. Neustadt noted that she spoke to the Commission in the past about health impacts from air

pollution. She displayed a copy of what EPA has made available on regulating smog and soot. She spoke about comments previously made by Chris Gault, Iowa Farm Bureau, about how farmers are regulated. She related that the Sierra Club is in favor of a system of regulation that exempts the small family farmer from regulations. Ms. Neustadt expressed concern that some of the things Ms. Gault said may have mislead the Commission. She displayed a chart showing a list of emissions relating to PM_{2.5} and sources of that pollution, adding that there is printed information which says agricultural practices impact air pollution. She stated that EPA does not want to target agriculture and further discussed the relationship between PM_{2.5} particles and PM₁₀ noting there has been some confusion on how they are related. Ms. Neustadt related that Ms. Gault said Arizona farmers have to obey air pollution regulations. She further stated that Phoenix is in serious nonattainment for PM₁₀, but there is no PM_{2.5} program there and she expanded on that issue. She also displayed a map showing Minnesota and an area where hydrogen sulfide emitting from a lagoon made children sick, in a nearby day care center. In closing, she asked the Commission to protect public health.

Susan Heathcote

Susan Heathcote, Iowe Environmental Council, stated that the department received a 60 day Notice of Intent to File Lawsuit related to Iowa's obligations to meet the requirements of the Clear Water Act (CWA). She related that the 60 day notice allows the department time to correct the problem or come to some agreement with the plaintiff to avoid the lawsuit. She pointed out that the IEC is not a party to the lawsuit but IEC does have a lot of concern about Iowa's failure to comply with the CWA. She related that IEC is concerned about the water quality in Iowa and noted that last month she provided the Commission with their Water Quality Action Plan. Ms. Heathcote asked how the department is responding to the 60 day letter, and noted that the IEC would be willing to work with the department to address the problems outlined in the letter.

IOWA WASTE EXCHANGE CONTRACT AMENDMENTS

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Iowa Waste Exchange (formerly By-product and Waste Search Service) mission is to reduce the amount of business and industrial waste materials going to Iowa's landfills and other disposal sites. Representatives covering all 99 counties in Iowa facilitate waste exchanges from generator industries to other industries or recyclers that can use the material as a raw material. This proactive exchange program has saved Iowa businesses \$5.58 million in avoided disposal costs. The Iowa Waste Exchange is funded with solid waste tonnage fees and matching funds from Community Colleges and Council of Governments as established in Iowa Code 455B.310. Iowa's program is unique in the Nation in the financial commitment to the .

Request is made to:

- Amend each of four Iowa Waste Exchange contracts with one year extensions.

- Update the contracts with the name of current Iowa Waste Exchange representatives.
- Change scope of work for the amended contract period.
- Include two pilot projects that will shape strategic planning efforts.

The first pilot project, being undertaken by Kirkwood Community College, will look at improving Iowa Waste Exchange representatives reporting statistics, calculations and performance tracking. Kirkwood will implement a regional "performance tracking" pilot project that will integrate reporting with a new Iowa Waste Exchange database being developed.

The second pilot project, by Des Moines Area Community College, will produce a "fee for services" structure to augment revenue currently being provided to the program. Des Moines Area Community College will create a report describing the revenue generation strategy, administrative issues and challenges, business receptivity, number of businesses assisted, and amount of revenue generated per business and in total.

These amendments will put all Iowa Waste Exchange contracts on the same renewal schedule. This is necessary in order to make program tracking and the request for proposal process more efficient. In addition, standardizing all contracts to be renewed on July 1, 1999 provides an opportunity to implement "across the board" improvements to the Iowa Waste Exchange program and simplify budgeting and funding efforts.

The affected contracts are as follow:

96-G501-01	North Iowa Area Community College
96-G591-02	Kirkwood Community College
96-G591-06	University of Northern Iowa, Iowa Waste Reduction Center
98-G591-09	Des Moines Area Community College

(A copy of the contracts for each project is on file in the department's Records Center)

(Randal Giannetto arrived at this point in the meeting - 11:10 a.m.)

Charlotte Mohr asked if the last sentence in the first paragraph of the agenda brief is incomplete.

Ms. Stanley stated that the words "exchange of waste" should be added to the end of the sentence. She reviewed details of the contract amendments.

Charlotte Mohr asked about "hot sheets" as to it's meaning.

Ms. Stanley noted that they are information sheets sent out by IWRC listing materials people have for exchange.

<i>Motion was made by Gary Priebe to approve the Iowa Waste Exchange Contract Amendments. Seconded by Rita Venner. Motion carried unanimously.</i>
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APPROVED AS PRESENTED

APPOINTMENT - DUTCH SHULTS

Dutch Shults, Marketing Manager for J.R.'s Appliance, distributed copies of a general outline of his presentation. He explained that J.R.'s has a recycling operation in Wilton and North Star Steel also has a shredding plant there, and they are the repository for J.R.'s processed appliances. He noted that his objective today is to make the Commission aware of what J.R.'s has done to identify the market for appliance recycling and problems encountered in gaining customers. Mr. Shults related that they have had problems in identifying and regulating the activities of the illegal scrappers who are processing appliances. He added that they will try to make some recommendations that can be accomplished under the current Iowa and federal laws so it will give them an equal playing field in appliance processing.

Vladimir Byzousky

Vladimir Byzousky, Manager at J.R.'s Appliance, presented a history of what the company has gone through from 1992-1994 and how they investigated the market for appliance recycling. He related that they have the technology to remove refrigerants, reclaimers and PCB's, and very few of the appliance processors do this. He noted that many businesses just put the used appliances out back of their store and they disappear, and he stressed that this must stop. Mr. Byzousky stated that DNR has done a lot of inspections but more enforcement needs to be done. He related that it costs J.R.'s \$25 to process the appliance legally and they cannot compete with appliance dealers who pay nothing to dispose of their appliances, and more enforcement is needed.

Floyd Pelke

Floyd Pelke, Bluestem, stated that as a landfill operator, in 1992, he started looking for someone to properly deal with the landfill's appliances and there was no one. He related that he learned of J.R.'s and that they were willing to come to Iowa. He noted that one of the problems small landfill operators have is not knowing who the permitted people are. Mr. Pelke stated that if their landfill operator permit requires them to be responsible for the appliances then they need to know who the DNR and EPA has permitted, adding that they need a list of vendors that are in full compliance.

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM - APPLICATIONS RECEIVED

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received twenty-five (25) applications, requesting \$2,397,508 million in financial assistance, for consideration during the June 1998 round of funding. Approximately \$900,000 is available to award to selected applicants. A summary of each applicant with the applicant's project description is attached for the Commission's information.

Application summaries identify the amount and type of funding assistance as requested by the applicant.

Applications Received By Applicant Type	# Received	Request Amount
Local Government	9	\$509,675
Private For Profit	6	\$353,834
Private Not For Profit	10	\$1,533,999
Applications Received By Project Type	# Received	Request Amount
Education	5	\$312,864
Waste Reduction	2	\$13,358
Research and Development or Demonstration	12	\$1,319,659
Recycling	5	\$578,287
Combustion	1	\$173,340

The appropriateness of the type of financial assistance requested (grant vs. loan) is subject to change based on the following:

Projects eligible to receive grant assistance include: 1) projects that have public education as the primary focus on such topics as waste reduction and recycling; 2) projects that reduce, avoid or eliminate the generation of solid waste at the source; 3) projects that develop new technologies in managing solid waste; and 4) projects that implement an existing solid waste management technology for the first time in Iowa.

Projects eligible to receive zero interest loan assistance include: 1) projects that do not fit any of the above project categories; 2) combustion with energy recovery projects; 3) combustion for volume reduction projects; 4) projects that involve expansions or improvements to an existing facility or operation using existing technologies; and 5) projects that replicate similar projects in Iowa.

Application review is scheduled to be complete by the end of July 1998. It is anticipated that contracts will be presented to the Commission for approval beginning with the September 1998 Commission meeting

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM

APPLICATIONS RECEIVED -- JUNE 1998

The project proposal summaries were prepared after a brief review of applications submitted for funding consideration. Nearly \$2.4 million in financial assistance was requested by twenty-five (25) applicants. Project summaries identify the amount and type of funding assistance as requested by the applicant and provide a brief project description.

EDUCATION PROPOSALS

Application 1: Request: Applicant: Description:	Luther College 700 College Drive Decorah, Iowa 52101 \$8,730 - Grant - Education Private Not For Profit The applicant is proposing to expand campus-wide waste reduction and recycling efforts. The proposed project involves placing recycling bins in individual offices and classrooms and implementing a campus-wide education campaign. Grant assistance is requested for the purchase of a roll-off container, brochures, signage, and recycling bins.	Project Title: Contact: Campus-Wide Recycling Program Gary Brickman (319) 387-1668
Application 2: Request: Applicant: Description:	Iowa Communities of Urbandale & West Des Moines 520 South 16th Street West Des Moines, Iowa 50265 \$53,850 - Grant - Education Local Government The applicant is requesting assistance to reduce residential waste disposal tonnage through education on reuse and recycling alternatives and implementation of a six-month pilot project for unit based pricing for garbage collection. The program will serve Urbandale and West Des Moines in Polk County. Currently Urbandale and West Des Moines landfill 6,900 tons and 10,726 tons respectively. The applicants estimate decreased tonnages to 6,400 tons and 9,825 tons respectively with the pilot project implemented. Grant assistance is requested for the purchase of equipment, education materials, and administrative expenses.	Project Title: Contact: Recycling Education and Unit Based Pricing Initiative Bret Hodne (515) 222-3536
Application 3: Request: Applicant: Description:	Beautify Iowa Recycling Program 1540 Guthrie Avenue Des Moines, Iowa 50316-1614 \$164,414 - Grant - Education Private Not For Profit Applicant is proposing an awareness campaign that will target two citizen behaviors which will significantly impact solid waste diversion: (1) decreasing litter; and (2) expanding recycling. Every county in Iowa will be reached by the "Don't Trash Iowa" campaign. Grant assistance is requested for general activities and events, anti-litter and recycling initiatives, evaluation, and wages.	Project Title: Contact: Waste Reduction and Recycling Education Campaign Rebecca Schwoch (515) 262-2956
Application 4: Request: Applicant: Description:	Cedar Rapids Community School District 346 Second Avenue SW Cedar Rapids, Iowa 52404 \$51,427 - Grant - Education Local Government Applicant is proposing to build an eco-house -- a single-family home that will incorporate a variety of environmentally sensitive building practices, integrate green building practices into the Building and Vocational Training curriculum, and develop a "green building" library for use by students and faculty as well as by area builders and contractors. The project's outcome will be shared by students and the general public in Linn County and throughout the state of Iowa. Grant assistance is requested for consulting services, landscaping materials, building materials, construction site recycling program, curriculum and staff development, resource and interpretive materials, and wages.	Project Title: Contact: Eco-House Project David Smith (319) 398-2600
Application 5: Request: Applicant: Description:	Ottumwa/Wapello County Solid Waste Commission 105 East Third Street Ottumwa, Iowa 52501 \$34,443 - Grant - Education Local Government The applicant is proposing an educational program for recycling and waste reduction via a quarterly newsletter for residents in Davis and Wapello Counties. Grant assistance is requested for wages, supplies, equipment, and other costs.	Project Title: Contact: Recycling and Waste Reduction Education Jody Gates (515) 683-0694

WASTE REDUCTION AT THE SOURCE PROPOSALS

Application 6:	Great River Bend Area Agency on Aging
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	736 Federal Street Davenport, Iowa 52803	Project Title:	Reusable Meal Service Program
Request:	\$4,779 - Grant - Waste Reduction at the Source	Contact:	Sheri L. Chrostowski (319) 324-9085
Applicant:	Private Not For Profit		
Description:	Applicant is proposing to expand the use of reusable meal trays in a three county area. In the past 5 years 350,000 styrofoam containers have been diverted from the landfill with the current program. Grant assistance is requested for purchase of reusable plates, meal costs, delivery mileage, contract delivery, and staff salaries.		

Application 7:	Heritage Area Agency on Aging, Inc. 6301 Kirkwood Blvd. SW Cedar Rapids, Iowa 52406	Project Title:	Reusable Meal Service Program
Request:	\$8,579 - Grant - Waste Reduction at the Source	Contact:	Teresa Kelly (319) 398-5559
Applicant:	Private Not For Profit		
Description:	Applicant is proposing to provide reusable serving trays and containers, compartment trays, dishes, cups, glasses, and silverware for Elderly Nutrition Programs at selected sites in 7 counties of eastern Iowa. The project will divert an estimated 3,185 cubic feet from the landfill annually. Grant assistance is requested for the purchase of reusable serving trays and containers, compartment trays, dishes, cups, glasses, and silverware.		

RESEARCH and DEVELOPMENT/DEMONSTRATION PROPOSALS

Application 8:	Dawn Manufacturing and Recycling Technologies, Inc. 2345 Nation Avenue Britt, Iowa 50423	Project Title:	Automated Recyclables Separation
Request:	\$92,732.76 - Grant - R&D/Demo	Contact:	Melvin Wellik (515) 9232671
Applicant:	Private For Profit		
Description:	The applicant is proposing to develop and demonstrate a new technology to recover recyclables from the waste stream generated in the commercial and industrial sectors. This project will produce a final design, manufacture one prototype unit, conduct a one year trial project at a pre-selected site, test the viability of the unit in the marketplace, and research the marketing of this high volume, computerized recyclable materials collection center for on-site separation of recyclable materials from trash materials. Grant assistance is requested for wages, equipment, supplies, and marketing.		

Application 9:	Cherokee Mental Health Institute 1251 West Cedar Loop Cherokee, Iowa 51012	Project Title:	Vermicomposting
Request:	\$32,284 - Grant - R&D/Demo, Education	Contact:	Tony R. Morris (712) 225-6922
Applicant:	Local Government		
Description:	Applicant is proposing a Vermicomposting project to demonstrate landfill diversion and economic benefits of composting using red worms. The project will be run on the Cherokee Mental Health Institute grounds with the Boys & Girls Home providing the main labor force. Cherokee Mental Health Institute has accomplished the removal of over 35.5 tons of disposable debris from the campus on hospital-wide clean-up day, and hopes to increase this tonnage with the implementation of this program. Grant assistance is required for equipment, building construction, supplies, and wages.		

Application 10:	Cox Sanitation and Recycling, Inc. 2226 335th St. North English, Iowa 52316-0208	Project Title:	Construction & Demolition Waste Recycling Facility
Request:	\$354,391 - Grant -R&D/Demo	Contact:	Ronald Cox (319) 664-3817
Applicant:	Private For Profit		
Description:	The applicant is proposing to construct a building in which to unload roll-off containers and dump trucks filled with construction and demolition (C&D) wastes onto a tipping floor to separate construction and demolition wastes into individual components or categories for recycling. This addition could increase the total tonnage processed from 4,000 tons per year to nearly 10 times that figure from a five county area in three separate comprehensive planning areas. Grant assistance is requested for wages and salaries, equipment, supplies, and construction.		

Application 11:	Industrial Laminates/Norplex Inc. 665 Lybrand
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Request: Applicant: Description:	Postville, Iowa 52162 \$78,800 - Grant - R&D/Demo Private For Profit The applicant is proposing to develop, produce, and market to the agricultural industry an industrial laminate panel made from scrap material being generated at the plant. This new product will help the environment, reduce landfill usage, and develop a new product for the company. This project, using preliminary estimates, will reduce 800 to 1,500 tons of waste from the landfill per year. The geographic area of impact will be Winneshiek County, and possible state and nation-wide impact. Grant assistance is requested for purchase of equipment and wages.	Project Title: Laminate Scrap Recycling Contact: Scott Loven (319) 864-4227
Application 12: Request: Applicant: Description:	Central Construction & Demolition Recycling, Inc. 1805 SE Hartford Ave. Des Moines, Iowa 50320 \$81,548 - Grant - R&D/Demo Private For Profit The applicant is proposing a project to gather data to determine the economics of sustainable drywall recovery and recycling. Recovered drywall will be transported to a drywall manufacturer for processing and production of new drywall. The system has been designed to process at a minimum 123 tons per week of source separated drywall. The area of impact will be Polk County and the Metro Waste Authority service area. Grant assistance is requested for the purchase of a truck, equipment, and wages.	Project Title: Drywall Recycling Contact: Robert C. Hosier (515) 243-6402
Application 13: Request: Applicant: Description:	A.D.L.M. Counties Environmental Health 501 N. 12th St. Centerville, Iowa 52544 \$97,781 - Grant - R&D/Demo Local Government The applicant is proposing to research, develop & demonstrate the use of tire chips as an alternative aggregate for on-site waste water treatment systems. The project will cover a four county area in South Central Iowa. A total of 303.2 tons of tire chips will be utilized in this project. Grant assistance is requested for salaries and equipment.	Project Title: On-Site Waste-Water Treatment System Contact: Donnie Herteen (515) 437-1909
Application 14: Request: Applicant: Description:	Metro Waste Authority 521 E. Locust Des Moines, Iowa 50309 \$30,000 - Grant - R&D/Demo Local Government The applicant is proposing to demonstrate the use of shredded tires as a sub-base in the construction of a landfill road and two wet weather pads at the Metro Park East Landfill. Total number of tires needed for this demonstration project is estimated to be 80,100 tires. The project service area includes all of Polk County, and communities in the Metro Waste Authority Planning area. Grant assistance is requested for the purchase of construction materials.	Project Title: Shredded Tire Road Sub-Base Contact: Jeff Dworek (515) 967-2076
Application 15: Request: Applicant: Description:	New Horizon, Inc. 7 Crest Road Granby, CT 06035 \$115,000 - Grant - R&D/Demo Private For Profit Applicant will conduct initial engineering and market research to construct a commercial and industrial tissue converting operation in Iowa. Specifically the planned facility will convert large mill sized rolls of tissue and toweling paper products to a size marketable in the Midwest. Grant funds are requested for initial engineering, marketing, project management and business plan preparation.	Project Title: Tissue Market Research Contact: Dale Gubbels (860) 844-8339
Application 16: Request: Applicant: Description:	Des Moines Metro Recycling Inc. 11222 N.E. 72nd St. Bondurant, Iowa 50035 \$34,690 - Grant - R&D/Demo Private For Profit Applicant is proposing to implement an antifreeze recycling program that will address contaminated antifreeze on-site of the generator. Processed antifreeze once recycled will meet manufacturer ASTM guidelines. The project area is the state of Iowa. Grant assistance is requested for the purchase of a reverse osmosis antifreeze recycler, building construction, and supplies.	Project Title: Antifreeze On-Site Recycling Contact: Mick Kilbourne (515) 967-4235

RECYCLING PROPOSALS

E98Jul-33

equipment, education, publicity, advertising, and administration costs.

Application 22:	Tire-Tech Environmental Systems P.O. Box 18 1602 Musser Street Muscatine, Iowa 52761-0018	Project Title:	Scrap Tire Processing
Request:	\$320,000 - Zero Interest Loan	Contact:	Lester Taylor (319) 264-3608
Applicant:	Private For Profit		
Description:	The applicant is proposing the purchase of equipment to facilitate the reduction of waste tire stockpiles and to develop a tire-derived-fuel product for identified markets. It is anticipated that this new equipment would allow Tire-Tech to reduce waste tire stockpiles around the state (at the rate of 50,000 tire per week or an annual reduction of approximately 2.6 million tires or 26,000 tons of waste tires annually). Grant assistance is requested for the purchase of equipment.		

Application 23:	Complete Recovery 712 E Milwaukee Street Spencer, Iowa 51301	Project Title:	Recycling Expansion
Request:	\$74,750 -Zero Interest Loan	Contact:	Randy Plagman (712) 262-4877
Applicant:	Private For Profit		
Description:	Applicant is proposing to purchase additional equipment which will allow the Company to increase efficiency and expand the types of recyclable materials the Company can recycle. Complete Recovery recycled 630 tons in 1997 and anticipates increasing this to 1,500 tons through this project. The area to be effected will primarily be the city of Spencer in Clay County but would also include portions of three other counties. Loan assistance is requested for the purchase of equipment, construction of a loading dock, and roof repair.		

Application 24:	Adair County Sanitary Landfill Commission 1645 State Highway 25 Menlo, Iowa 50164-8023	Project Title:	Recycling Center Expansion
Request:	\$111,524 -Zero Interest Loan	Contact:	Dennis Reha (515) 743-8343
Applicant:	Local Government		
Description:	Applicant proposed to expand their existing recycling program by purchasing drop-off recycling containers to be located in communities within the solid waste planning area (Adair County and parts of Guthrie County). During FY 1997, approximately 900 tons were collected from the project service area and marketed by the Recycling Center. The project's goal is a total of 1,293 tons annually collected and marketed. Loan assistance is requested for the purchase of equipment, labor & processing costs, equipment operating costs, consulting, and misc. costs.		

COMBUSTION WITH ENERGY RECOVERY PROPOSALS

Application 25:	Renewable Resource Recovery, L.C. 237 3rd Ave. Alburnett, Iowa 52202	Project Title:	Specialty Fuel Blending
Request:	\$173,340 - Zero Interest Loan - Combustion w/ Energy Recovery	Contact:	Bob Walters (319) 842-2536
Applicant:	Private For Profit		
Description:	Applicant is proposing to produce an economically viable and environmentally safe solution to waste absorbents. Absorbents will then be custom blended by the applicant with green sawdust into a uniform fuel product. After processing, this fuel will then be consumed to produce steam for the production of electricity. The applicant plans to divert nearly 3,000 tons of oil absorbents from landfills in Iowa and throughout the midwest. Grant and loan assistance is requested for the purchase of equipment, building construction, and supplies.		

Ms. Stanley reviewed the list of applicants noting there is \$900,000 in this round of grants and there has been about \$2.4 million worth of requests.

Charlotte Mohr commented that in regard to Application #22 there is a Referral to the Attorney General, therefore this application should be closely studied. She also called attention to Application #15, noting that it is not an Iowa company and that needs to be looked at, even though they would be working in the Midwest.

Gary Priebe expressed concern that most of the projects are either education or demonstration projects and asked if they are actually diverting anything from going to the landfill.

Ms. Stanley explained that the purpose of research and development is that it may have a very strong possibility of replication, and if so, waste reduction occurs not only from that project but is then repeated without further state investment. She stated that she will be reluctant to bring very much in the way of education until a strategy is developed.

Gary Priebe stated that he prefers the zero interest loans whereby the money is returned to the state.

INFORMATIONAL ONLY

REGIONAL COLLECTION CENTERS

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

Regional Collection Centers are permanent facilities that provide hazardous waste management education and on-going access to proper disposal of hazardous materials generated in households (urban and regional) and by conditionally exempt small quantity business generators.

Since 1994, ten (10) regional collection center establishment grants have been awarded. Nine (9) of these facilities are currently operating and the tenth is awaiting solid waste permit approval. Seven of the regional collection centers currently operate a mobile collection unit and the remaining three anticipate incorporating a mobile collection unit in the near future. Mobile collection units allow the operating agency to host a hazardous waste clean-up event in every town in their service area. By holding these events in each town, local participation significantly increases by decreasing participant travel. Incorporating the use of mobile collection units is stressed by the Department to all prospective regional collection center applicants.

In Fiscal Year 1997, approximately 12,300 households and conditionally exempt small quantity generators delivered nearly 1.1 million pounds of hazardous wastes for proper management and disposal. Over one-half of this 1.1 million pounds was managed locally (i.e. latex paint, used oil and lead-acid batteries were managed locally for recycling or reuse). The remaining hazardous waste was collected by various hazardous waste haulers for out of state landfill disposal or fuel blending.

The attachment includes contact information and service area description for each regional collection center. Also attached is map which identifies regional collection center locations, service areas, and the operating agencies

REGIONAL COLLECTION CENTERS

Metro Waste Authority Regional Collection Center

225 Prairie Dr.

Bondurant, IA 50035

Beth Shonts, contact

(515) 967-5512

- includes all of Polk County; Norwalk, Hartford and Carlisle in Warren County; and Mingo and Prairie City in Jasper County. The center is located along Highway 65 in Bondurant. Opened for household collections December 6, 1994, opened for conditionally exempt small quantity generator collection March 1, 1995. A mobile collection unit will be added in spring 1998 to serve Boone, Dallas, Green, Jasper, Lucas, Madison, Marion, Marshall, Monroe, Poweshiek, Story and Warren Counties.

Clinton, Cedar, and Jackson County Regional Collection Center

P. O. Box 996, 4292 220th St.

Clinton, IA

Chuck Goddard, contact

(319) 243-4749

- includes Clinton, Cedar, and Jackson Counties. This regional collection center consists of a permanent storage building, at the Clinton County Landfill, and a mobile collection unit. Opened for household collections July 26, 1995. Opened for conditionally exempt small quantity generator collections June 1996.

The Landfill Of North Iowa Regional Collection Center

15942 Killdeer Avenue

Clear Lake, IA

Robert Kraemer, contact

(515) 357-5452

- includes all cities and unincorporated areas in Cerro Gordo County; all cities, excluding Alexander, and unincorporated areas in Franklin County; the City of Nora Springs in Floyd County; the Cities of Garner and Klemme in Hancock County; the Cities of Forest City and Lake Mills in Winnebago County; and, the cities of Grafton, Hanlontown, Joice, Kensett, Manly and Northwood in Worth County. This center consists of a permanent storage building at the Landfill of North Iowa, and a mobile collection unit. Opened for household collections April 11, 1996. Opened for conditionally exempt small quantity generator collections September 1996.

Scott County Regional Collection Center

P. O. Box 563

Buffalo, IA

Kathy Morris, contact

(319) 381-1300

- includes all of Scott County. The center is located at the Scott County Landfill. They share a mobile unit with Muscatine County. Opened for household collections April 29, 1996. Opened for conditionally exempt small quantity generator collections September 1996.

Muscatine County Regional Collection Center

1459 Washington Street

Muscatine, IA

Lavene Payne, contact

(319)263-9689

- includes all of Muscatine County. Located at the Muscatine Recycling Center. They share a mobile unit with Scott County. Opened for household collections November 1996.

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	50
Rural Iowa Waste Management Assoc. (Eldora)	UT	500
	TOTAL	5,125

ATTORNEY GENERAL REFERRALS

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Advanced Technologies Corp. Iowa City (6) UPDATED	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	6/20/97 6/05/98
Ballard, Randy Fayette Co. (1) UPDATED	Flood Plain	Construction Without Permit	Order/Penalty	Referred Petition Filed	5/29/96 6/05/98
Buringrud, Mark d/b/a Carpenter Bar and Grill Carpenter (2) UPDATED	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate	Order/Penalty	Referred Petition Filed	11/17/97 6/04/98
DeCoster, A.J. Wright Co. (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Hearing on Pre-Trial Motion Order Denying Defendant's Motion Order Granting State's Motion State's Motion to Compel Hearing Order Granting State's Motion Trial Closing Arguments Ruling (\$59,000/Civil) Defendant's Notice of Appeal Defendant's Brief Filed Defendant's Amended Brief Filed State's Brief Filed State's Amended Brief Filed Defendant's Reply Brief Filed	7/17/95 1/23/96 10/28/96 11/06/96 11/21/96 1/28/97- 2/06/97 2/11/97 2/21/97 3/05/97 3/28/97 9/05/97 4/04/97 9/05/97 9/24/97 1/12/98 1/22/98 2/19/98
DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Sow Unit #1 (See Below)	8/19/96 11/25/96 4/28/97
DeCoster, Austin J. Sow Unit #1 (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed State's Motion to Change Venue State's Motion to Consolidate Order Granting Motions	1/22/97 4/24/97 4/28/97 4/28/97 4/28/97

				Amended & Substitute Petition Filed	5/19/97
				Defendant's Motion for Partial Summary Judgment	7/14/97
				State's Motion for Partial Summary Judgment	8/04/97
				Hearing on Defendant's Motion for Partial Summary Judgment	8/11/97
				Hearing on State's Motion for Partial Summary Judgment	8/25/97
				Ruling Denying Defendant's Motion for Partial Summary Judgment	9/02/97
				Ruling Granting State's Motion for Partial Summary Judgment	9/04/97
				Trial	9/16-18/97
DeCoster, Austin J.				Ruling for State	1/15/98
Sow Unit #1 (2))				Defendant's Notice of Appeal	2/13/98
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DeCoster, Austin J.				Referred	6/20/97
Sow Unit #11; Nursery Unit #7	Wastewater	Prohibited Discharge	Referred to Attorney General	Petition Filed	3/20/98
Wright Co. (2)				Consolidated With Nursery Unit #4 (See Below)	
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DeCoster, Austin J.				Referred	8/18/97
Nursery Unit #4	Wastewater	Prohibited Discharge	Referred to Attorney General	Petition Filed	3/20/98
Wright Co. (2)					
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DeCoster, Austin J.				Referred	12/15/97
Sow Unit #3	Wastewater	Prohibited Discharge	Referred to Attorney General		
Hamilton Co. (2)					
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Economy Solar Corp.				Referred	3/21/94
Ft. Madison (6)	Air Quality	Asbestos	Referred to Attorney General	Petition Filed	8/29/94
				Trial Date	11/06/95
				Ruling (\$1,600/Civil & Injunction)	11/30/95
				Notice of Appeal	1/03/96
				Voluntary Dismissal	4/11/96
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Economy Solar Corp./Central Community School				Referred	7/17/95
DeWitt (6) UPDATED	Air Quality	Asbestos	Referred to Attorney General	Petition Filed	1/03/97
				Trial Date	3/23/98
				Consent Decree (\$9,000/Civil)	5/22/98
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Farmers Hybrid Companies, Inc., Poweshiek Co. (1)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	3/16/98
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Gassman, Charles and Ruth d/b/a Gassman's MHP	Drinking Water	Monitoring/Reporting-Nitrate	Referred to Attorney General	Referred	6/15/98
Dubuque (1) NEW					

Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2)	Air Quality	Open Burning	Order/Penalty	Referred	1/20/98
Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	12/18/95 4/18/96 11/01/96
Hidden Valley Mobile Home Court - Washington Co. (6)	Drinking Water	Monitoring/Reporting - Lead and Copper	Order/Penalty	Referred	1/20/98
Home Asbestos & Lead Abate. Services; Robert G. Condon WDM (5) UPDATED	Air Quality	Asbestos	Order/Penalty	Referred Motion for Judgment Consent Decree (\$1,850/Admin.)	10/20/97 6/01/98 6/05/98
Huyser, James; Trust Trucking Lovilia (5)	Underground Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed	11/21/94 4/18/96 9/20/96 9/20/96
Larson, Daryl Clinton Co. (6) UPDATED	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	10/20/97 6/26/98
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley - Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred	12/15/97
Orrie's Supper Club, Inc. Hudson (1)	Drinking Water	Monitoring/Reporting; Lead & Copper	Order/Penalty	Referred	10/16/95
Owens & Owens Realty, Inc. Wilton (6)	Underground Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
Papetti's of Iowa Food Products, Inc. Taylor Co. (4)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	1/22/97

Postville Pork Postville (1)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date	5/20/96 7/09/97 11/4/98
Reed, Verna and Don; Andrea Silsby Union Co. (4)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	6/20/94 8/10/94 12/12/94
Relative, Inc.; Doug Smuck Des Moines (5)		Underground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
R. V. Hopkins Davenport (6)	UPDATED	Air Quality	Emission Violations	Order/Penalty	Referred Petition Filed	5/21/97 6/09/98
Schoenberr, R.B. d/b/a Long Branch Tavern Monmouth (1)	UPDATED	Drinking Water	Permit Renewal	Orders/ Penalties	Referred Petition Filed	6/20/97 6/04/98
Stickle Farms, Inc. Linn Co. (1)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	4/21/97
Tire Tech Environmental Systems, Inc. Muscatine (6)	UPDATED	Solid Waste	Tire Processing Permit Violations	Referred to Attorney General	Referred Petition Filed	4/20/98 6/23/98
Tracy, Ronald d/b/a TRACE, Inc. Howard Co. (1)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Criminal Complaint Filed	11/17/97 11/26/97
Underwood, Paul d/b/a Underwood Excavating and Demolition - Cedar Rapids (1)		Air Quality	Asbestos	Order/Penalty	Referred Motion for Judgment	5/15/95 8/15/96
Vermeer Manufacturing Pella (5)	NEW	Air Quality	Construction Without Permits	Referred to Attorney General	Referred Consent Decree (\$100,000/Civil; Plus SEPs)	6/30/98 7/01/98
White, Robert Jeff Dallas Center (5)		Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	4/20/98
Williams, Dean d/b/a Williams		Underground Tank				

Oil Co. Stuart (4)	und Tank	Site Assessment	Order/Penalty	Referred	10/20/97
Wunschel Oil Co.; Vernus Wunschel and Jaquelyn Wunschel Battle Creek (3)	Undergro und Tank	Site Assessment	Referred to Attorney General	Referred Motion for Judgment Consent Decree (\$6,400/Admin.) Referred	1/17/95 8/28/96 12/13/96 3/30/98

CONTESTED CASES

Date Receive	Name of Case	Action Appealed	Program	Assigned To	Status
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	New draft consent order issued to company for approval.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	New draft consent order issued to company for approval.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	Permit issued. District court suit dismissed. Field Office overseeing
6-20-90	Des Moines, City of	NPDES Permit	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD
7-02-90	Keokuk Savings Bank and Trust; Keokuk	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler).
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin.	SW	Kennedy	Hearing continued. Clean-up continuing slowly due to illness.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement close, 7/1/98.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin.	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin.	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin.	HC	Womson	Settlement letter sent 8/31/94. SCR completed. Finalizing remediation
5-05-92	Plymouth Cooperative Oil Co.	Admin.	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
6-23-92	Chickasaw County Board of Supervisors.	Admin.	SW	Kennedy	County to include closing in FY 1997 budget. Meeting held 8/7/97.
9-21-92	ITWC	Admin.	AQ	Preziosi	Settlement close. Negotiating penalty.
9-22-92	King's Terrace MHP	Admin.	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter
11-16-92	Frank Hulshizer	Admin.	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company.
4-05-93	Mapleton, City of	WW Operator	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin.	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining
4-21-93	Donald Udell	Admin.	SW	Kennedy	Clean-up completed. Penalty settlement due.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued. Meeting held. Settlement close. Waiting on results
7-06-93	Dennis E. Good	Admin. Order	UT	Womson	Tier 1 complete. Tier 2 initiated.
7-09-93	Oakwood Park Water, Inc.	Admin.	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94.
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl	Admin. Order	UT	Womson	Tier 2 initiated.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	8/12/97 - Appeal being reviewed in context of Title V application.
12-23-93	Waverly Gravel & Ready-Mix aka Shell	Admin.	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-28-94	Coastal Mart - Davenport	Admin.	UT	Womson	Deficient SCR. Letter sent. Penalty on appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by

5-10-94	Dennis Malone; Joanne Malone	Admin.	UT	Womson	Untimely appeal. Compliance 3/97. Negotiating penalty.
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin.	UT	Womson	Tanks closed. Property sold. Buyer is Fund eligible and may do
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal - 4/96.
7-12-94	Tom Wiseman	Admin.	UT	Womson	Appeal untimely. Follow-up letter sent. Fund eligible. Tier I initiated.
8-12-94	Karl and Theilma Boylan d/b/a Boylan's	Admin.	UT	Womson	Inability to pay. Failed to return required documentation. Letter sent
8-29-94	B and B Tire and Oil	Admin.	UT	Womson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin.	UT	Womson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin.	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin.	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin.	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation regarding closure 8/21/97.
9-15-94	Bankston	Admin.	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City
9-16-94	Wunschel Oil Co.; Vernus Wunschel	Admin.	UT	Womson	Consent order. SCR received. Revisions to SCR required - overdue.
9-26-94	James D. Foust	Admin.	SW	Kennedy	Hearing continued by ALJ because of bankruptcy.
10-07-94	Titan Wheel International	Admin.	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to
10-19-94	Ronald Sizemore; Mark Murphy	Admin.	UT	Womson	Inability to pay documented. County took tax deed. Contact regarding
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin.	UT	Womson	Inability to pay - requested documentation -- no response.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter
1-11-95	Henry and Randy Krohn d/b/a Krohn	Admin.	AQ/SW	Kennedy	Settlement offer made. FO rejected offer. Phone conversation regarding
1-13-95	James and Roxann Neneman	Admin.	UT	Womson	Inability to pay. Forms sent. No response. Follow-up - 3/96. 1/97 -
1-13-95	Simonsen Industries, Inc.	Admin.	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	In bankruptcy. Consent order drafted.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Remediation plan received 5/27/96.
5-05-95	C & O Recycling Enterprises; Douglas W.	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron;	Admin.	HC/WW	Kennedy	Hearing continued. Clean-up continuing.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-25-95	Fremont County SLF	Admin.	SW	Kennedy	Negotiating before filing.
5-30-95	Earth Media Technologies	Admin.	SW	Kennedy	In the process of clean-up.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-16-95	Pilot Oil Corporation	Admin.	WW/UT	Murphy	Compliance achieved; settlement offer made 2/28/98.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested
6-23-95	Leonard C. Page	Admin.	SW	Kennedy	Penalty settlement due 8/30/97.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin.	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co.	Admin.	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96.
7-10-95	Donald Krieger	Admin.	UT	Womson	Tanks removed. Report due.
7-10-95	Gilbert Petsinger	Admin.	UT	Womson	SCR received - rejected. Review progress.
7-28-95	Harold T. Knott; James C. Knott	Admin. Order	UT	Womson	Compliance initiated. SCR under review.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin.	UT	Womson	SCR not received as of 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin.	AQ/SW	Kennedy	Appellant's attorney reply due 2/29/96.
8-24-95	Shell Rock Products, Inc.	Admin.	AQ/SW	Kennedy	Settlement offer due 8/1/96.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin.	SW	Kennedy	Appellant no longer accepting waste. Renewal permit may be
10-17-95	Tri-County Bank	Admin.	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin.	AQ	Preziosi	Hearing held 4/25/97. Decision received in DNR's favor. Penalty
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney	Admin.	AQ	Preziosi	Settled. Awaiting penalty payment.
12-12-95	Vernon Kinsinger; K & K Sanitation	Admin.	AQ/SW	Kennedy	Clean-up progressing. Working with F.O. #6. Receiving penalty
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.

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12-29-95	Spencer Memorial Hospital	Admin.	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Womson	Compliance initiated by Atlantic Bottling. Comingled with coal tar.
1-08-96	Westside Park for Mobile Homes	Admin.	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility
1-11-96	Climax Molybdenum Company	Admin.	AQ/HC	Preziosi	Negotiating before filing.
1-12-96	Clarence, City of	Admin.	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney
1-22-96	Daryl Hollingsworth and Karen	Admin.	UT	Womson	Tanks removed. Property sold.
1-25-96	Hidden Valley Mobile Home Park	Admin.	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building	Admin.	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due 8/30/97.
2-06-96	Russell Staggs	Admin.	AQ/SW	Kennedy	Negotiating before filing.
3-11-96	Dallas County Care Facility	Admin.	WW	Hansen	Facility inspected by FO. Now in compliance.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section..
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Flow information requested from City's engineer. To be set for hearing.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin.	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscataine Community School	Admin.	WS	Hansen	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin.	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by
5-08-96	Vernier Mfg. Co. (96AQ06)	Admin.	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin.	AQ/SW	Kennedy	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Information received and reviewed by EPD. Settlement offer and
5-29-96	Haasco, Ltd.	Admin.	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification	SW	Kennedy	Hearing set for 6/29/98 - settlement pending.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. &	Admin.	AQ/SW	Kennedy	Negotiating before filing.
7/17/96	Richard L. Magdefiau	Admin.	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 -	Permit Denial	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boonsma Egg Site	Admin.	WW	Clark	Hearing continued - date to be set.
8/09/96	Gene and Margaret Palmersheim d/b/a G &	Admin.	UT	Womson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile	Admin.	WW	Clark	Negotiating before filing.
8/23/96	Waste Management & Design (Monfort)	Admin.	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin.	UT	Womson	Closed facility. Negotiating penalty.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/11/96	DeCoster Farms of Iowa (96-WW-32).	Admin. Order	WW	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 -	Permit Revocation	WW	Clark	Hearing continued indefinitely.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M	Admin.	AQ/SW	Kennedy	Negotiating before filing..
11/05/96	Marvin Low d/b/a Low's DX	Admin.	UT	Womson	Tanks removed. Closure report submitted. Negotiating penalty.
11/07/96	Todd L. Salow	Admin.	AQ/SW	Kennedy	Negotiating before filing.
11/08/96	Caseys General Stores, Inc.	Mean Time to	UT	Womson	Settlement conference held 2/17/97.
11/08/96	Carroll, City of	Admin.	WS	Hansen	Returned to compliance.
11/25/96	Camp Golden Valley	Admin.	WW	Kennedy	Negotiating before filing.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC
12/05/96	Organic Technologies Corp. -----91-SDP-02-	Admin.	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC
1/02/97	Ruan Leasing Co., aka Ruan Transportation	Admin. Order	AQ	Preziosi	Negotiating before filing.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage	Admin.	SW/AQ	Kennedy	Clean-up complete. Negotiating penalty.
2/07/97	Craig Burgin	Admin.	UT	Womson	Compliance complete. Negotiating penalty.

2/19/97	Cliff's Place, Inc.	Admin.	WS	Hansen	Compliance initiated.
2/21/97	Farmland Foods, Inc. (Denison)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/04/97	Wayne Johnson	Admin.	SW/AQ	Kennedy	Negotiating before filing.
3/20/97	Sylvan Acres	Admin.	WS	Hansen	Compliance initiated.
3/28/97	Paul Behounek; Todd Behounek	Admin.	SW/AQ	Kennedy	Negotiating before filing.
4/07/97	AGP, Inc. (Ag Processing, Inc.)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
4/10/97	Lehigh Portland Cement	PSD Permit Denial	AQ	Preziosi	Negotiating before filing.
5/07/97	Delaware County Landfill, Inc.	Admin.	SW	Kennedy	Negotiating before filing.
6/06/97	Carroll's Foods of the Midwest	Const. Permit Denial	WW	Clark	Negotiating before filing.
6/10/97	Kruger Seed Co.	Admin.	AQ	Preziosi	Negotiating before filing.
6/16/97	Ritchie Industries, Inc.	Admin.	AQ	Preziosi	Negotiating before filing.
6/17/97	Bob Luke d/b/a D & R Tree Service	Admin.	AQ/SW	Kennedy	Negotiating before filing.
6/30/97	Linwood Mining and Minerals	Admin. Order	AQ	Preziosi	Negotiating before filing.
7/22/97	CIPCO	Construction Permit	AQ	Preziosi	Negotiating before filing.
7/22/97	Robert P. Fries; Elizabeth R. Mathes	Admin.	SW	Kennedy	Negotiating before filing.
7/30/97	Country Pumpkin	Admin.	WS	Hansen	Negotiating before filing.
7/31/97	Advanced Technologies Corp.	Admin.	AQ	Preziosi	New case.
7/31/97	Brittany Estates Addition	Admin.	WS	Hansen	Appeal withdrawn by WS. Settled.
8/01/97	Dodger Enterprises Co., Tire Chop Division	Admin. Order	SW	Murphy	Proposed decision 6/26/98.
8/05/97	Biovance Technologies	Admin.	AQ	Preziosi	Negotiating before filing.
8/08/97	Iowa Waste Systems, Inc.; Fayette Co. Solid	Admin.	SW	Kennedy	Negotiating before filing.
8/15/97	Ralston Purina Co.	Permit Conditions	AQ	Preziosi	Negotiating before filing.
8/18/97	Stellar Industries Inc.	Admin.	AQ	Preziosi	Negotiating before filing.
8/25/97	Joyce Wagner; Bruce Manthe d/b/a Wagner	Admin.	WW	Murphy	9/97 - Case on hold pending compliance.
9/17/97	Keokuk Steel Castings	Admin.	AQ	Preziosi	Negotiating before filing.
9/25/97	Iowa Mold Tooling Co., Inc.	Admin.	AQ	Preziosi	Negotiating before filing.
9/26/97	Walnut Grove Water Co.	Admin.	WS	Hansen	Under review by WS section. Connection to water supply for City of
10/6/97	North Central Cooperative	Admin.	HC/WW	Murphy	3/98 - Site assessment proceeding.
10/6/97	Big-Ten Mart/Truck Stop	Admin.	WS	Murphy	Hearing set for 7/17/98
10/6/97	Holnam, Inc.	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/7/97	Ottumwa, City of	Variance Denial	WW	Hansen	Informal meeting held 11/13/97. City submitted proposal. Letter sent to
10/17/97	Iowa Select Farms, L.P. (Gast Finishing	Admin.	WW	Clark	Proposed decision 5/29/98.
10/22/97	Lehigh Portland Cement Co.	Admin. Order	AQ	Preziosi	Negotiating before filing.
11/19/97	Troy Elevator, Inc.	Admin.	WW/HC	Murphy	Negotiating before filing.
11/21/97	Iowa Realty - Easter Lake Estates	Admin.	WW	Murphy	Penalty received 6/12/98. Settled.
12/02/97	Dows, City of	Admin. Order	WW	Hansen	F.O. 2 inspection 3/98. To be set for hearing. Letters received from City
12/03/97	Milton, City of	Admin.	SW/AQ	Kennedy	Negotiating before filing.
12/12/97	Donald E. Grell; Dodger Enterprises, Tire	Notice of Intent to	SW	Murphy	Proposed decision 6/26/98.
12/22/97	Dave and Kristi Castenson; Donald Fields	Harcourt Variance	WW	Hansen	Hearing set for 7/20, 21/98.
12/30/97	Ronald Juergens	Admin.	WW	Murphy	Penalty received 6/1/98. Closed.
1/07/98	Iowa Select Farms, L.P. (Sow Farm #8)	Admin.	WW/HC	Clark	Proposed decision 5/29/98.
1/13/98	DeCoster Farms of Iowa (Nursery #8)	Admin.	WW	Clark	Negotiating before filing.
1/16/98	Pilgrim Heights Camp	NPDES Permit	WW	Hansen	Negotiating before filing.
1/23/98	Sac City	Admin.	WW	Hansen	Status report received from city's consultant.
1/29/98	Ralston Purina Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/30/98	Rockwell City	Admin.	WW	Hansen	Meeting on 4/22/98 with city's engineer regarding facility plan.
2/13/98	Ed Engelbrecht d/b/a E & E Auto Salvage	Admin.	AQ/SW	Kennedy	Negotiating before filing.
2/17/98	Irvin Leichty	Admin.	WW	Clark	Negotiating before filing.
2/26/98	Ira Cooley, Debby Cooley and Karen Sauer	Admin.	AQ/SW	Kennedy	Negotiating before filing.

2/27/98	James Mills	Admin.	AQ/SW	Preziosi	Negotiating before filing.
2/27/98	Webb, City of	Admin.	AQ/SW	Preziosi	Negotiating before filing.
3/05/98	Bluff Harbor Marina	Denial of Tag	UT	Womson	Compliance initiated
3/06/98	Enviro Safe Air, Inc. (98-AQ-05)	Admin.	AQ	Preziosi	Negotiating before filing.
4/03/98	Pictured Rocks Methodist Camp	Admin.	WS	Hansen	Facility agreed to install chlorination. FO 2 inspection on 6/29/98.
4/03/98	Cooperative Oil Company; Mickey Berg	Admin. Order	UT/WW	Womson	Compliance initiated.
4/23/98	North Liberty, City of	Admin. Order	WW	Hansen	Negotiating before filing.
4/27/98	Weise Corporation	Admin.	AQ	Preziosi	Negotiating before filing.
4/28/98	ALCOA	Permit Conditions	WW	Hansen	Negotiating before filing.
5/04/98	Ben Haven Mobile Home Court	Admin.	WS	Hansen	New case. Chlorination system installed by WS.

Mr. Stokes presented the routine monthly reports.

Brief discussion followed regarding several cases on the Enforcement Report and Referrals Report.

Mr. Stokes informed the Commission of a current significant manure release near Buckeye, Iowa noting that it probably will have a fish kill on nearly 20 miles of Tipton Creek. He related that the source of the spill is unknown as there are 6-8 animal feeding operations in that vicinity. He added that staff are taking steps to identify the source, mitigate and abate any additional materials reaching to the waters.

Mr. Stokes reported that the department received a Notice of Intent to File a Lawsuit against EPA and Iowa relative to alleged deficiencies of the department's enforcement of the Clean Water Act. It was filed by Ken and Regina Thiry who are alleging failure of the state to file a 303D list in a timely fashion. He related that under the CWA the state is required to submit a list of water bodies, or water body segments, that are impaired by toxic pollutants. Mr. Stokes stated that the list was to be completed by April 1 and the department notified EPA that due to a number of other requirements by the legislature, the department would probably be late in submitting the list. He noted that staff are working on the list and anticipate having it done by September or October. He explained that the issue also dealt with failure to address TMDL's (Total Maximum Daily Loads) and expanded on that issue. He noted that suits have been filed on 30 other states for failure to address TMDL's in a timely fashion. He related that EPA is supposed to provide training to the staff on the TMDL process and it has not been done, adding that it is expected to be provided by this fall. Mr. Stokes said that two other issues raised in the suit was: 1) failure to update the states Water Quality Standards; and 2) deficient and inadequate water quality monitoring system to provide the level of detail necessary to do the 303D list, the TMDL's and the Water Quality Standards Revision.

Discussion followed regarding the 60-day period to reply to the notice of lawsuit, what other states are doing, and the need for staff training on TMDL's.

INFORMATIONAL ONLY

Mr. Stokes asked to take up Item #14 at this point since there are people present specifically for this item, and it would be best to do before the lunch break.

NOTICE OF INTENDED ACTION--CHAPTER 137, BROWNFIELDS PROGRAM RULES

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Chapter 455, 1997 Iowa Code, Iowa Land Recycling and Environmental Remediation Standards Act and also known as the "Brownfields" Act, requires the Department to work jointly with a Technical Advisory Committee (TAC) to develop rules implementing the Act. The law requires rules to be adopted by October 1, 1998.

The attached proposed rules represent the joint effort of the department and the TAC. The attached notice of intended action provides background information and explanation of the contents of the proposed new chapter 567 IAC 137.

The department is proposing that three public hearings be held to receive comment in Des Moines, Dennison and Cedar Rapids, on September 1, 2 and 3, 1998. It may not be possible to review public comment, prepare revisions and a response summary before the September Commission meeting. Therefore, adoption may not be possible by the statutory October 1, 1998 date.

(A copy of the rule is on file in the department's Records Center)

Mr. Stokes briefed the Commission on the rules and noted that a copy of the Technical Advisory Committee report and their meeting minutes was placed at the Commission's work stations. He introduced Roger Scholten, Chairperson of the Technical Advisory Committee (TAC).

Roger Scholten - Appointment

Roger Scholten, Chair of the Technical Advisory Committee, stated that the staff worked very diligently with the TAC and came up with a workable set of rules. He related that they see these rules as evolutionary, adding that with rules of this magnitude there will assumably be amendments coming about as time goes on to reflect the circumstances that were not addressed. He urged the Commission to support the rules.

Mr. Stokes agreed with Mr. Scholten that the rules will be an evolutionary process because with rules of this magnitude it is difficult to address each issue as each site may be different, and there may be areas of the rule that could be better addressed or were not addressed at all. He added that members of the TAC may choose to comment on specific portions of the rule as it goes through the public participation process.

Discussion followed regarding classification of sites and cleanup thresholds and standards. Mr. Stokes noted that three public hearings will be held in September.

Motion was made by Terrance Townsend to approve Notice of Intended Action--Chapter 137, Brownfields Program Rules.

Charlotte Mohr asked if the rules will be retroactive for cities that are currently looking at Brownfields.

Mr. Stokes replied that those sites could be enrolled, adding that it is a voluntary program

Charlotte Mohr seconded the motion to approve the rules.

Discussion followed in regard to whether the rules will be back to the Commission in September or October, depending on the comments received. Mr. Stokes suggested that an electronic meeting could be held on October 1 if needed.

Chairman Ehm stated that may not be a bad idea but he wants the rules done right more than he wants them done by October 1.

Vote on Commissioner Townsend's motion carried unanimously.

APPROVED AS PRESENTED

CONTRACT FOR VOLUNTARY STATE OPERATING PERMITS FOR AIR EMISSION SOURCES

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Department of Natural Resources, Air Quality Bureau - Operating Permits Section, has received to this date over 120 voluntary operating permit applications from Iowa facilities. These facilities are major sources which would be required to apply for a Title V permit; however, these facilities have elected to take voluntary controls to bring them below the major source threshold levels. The voluntary controls these facilities have elected to take on their potential-to-emit must be incorporated into a federally enforceable state operation permit to relieve them of Title V requirements. Applications for a Voluntary State Operating Permit have been set aside while operating permits staff are reviewing and processing Title V permit applications.

The Department published a notice on May 11, 1998, of its intention to issue a contract for technical services for the review and draft preparation of up to 150 voluntary operating permits. Four firms submitted proposals with sealed bids. Bids were then opened.

FIRM	Proposal Evaluation Score (max 400 pts)	Bid per 150 Applications (\$)	Selection Ranking
Jacobs Engineering Group Inc., Lenexa, KS	349	189,500	1st
General Engineering Laboratories Inc., Charleston, SC	295	145,000	2nd
Black and Veatch, Kansas City, MO	291	150,000	3rd
Trileaf, Ames	184	199,680	4th

The Commission is asked to approve entering into a contract with the Jacobs Engineering Group, Inc.

Mr. Stokes reviewed details of the bid process and contracts and then asked the Commission's approval to enter into a contract with Jacobs Engineering Group.

Motion was made by Terrance Townsend to approve the contract for Voluntary State Operating Permits for Air Emission Sources with Jacobs Engineering Group, Inc., in the amount of \$189,500 per 150 applications. Seconded by Dean McWilliams.

Brief discussion followed regarding differences in the bids and the quality of work by each firm.

Motion carried unanimously.

APPROVED CONTRACT WITH JACOBS ENGINEERING

REVISION OF STATE IMPLEMENTATION PLAN FOR SULFUR DIOXIDE FOR CEDAR RAPIDS, IOWA

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve for submittal to EPA, a revision of Iowa's State Implementation Plan (SIP) for sulfur dioxide (SO₂) for Cedar Rapids, Iowa.

In January 1996 the Linn County Health Department relocated an SO₂ monitor at the Scottish Rite Temple near the IES Utilities Sixth Street Power Station. This newly relocated monitor identified readings above the 24-hour National Ambient Air Quality Standard (NAAQS) for SO₂ of 0.14 parts per million (ppm). The readings were: January 18, 1996, 0.147 ppm; February 28, 0.20 ppm; and March 2, 0.267 ppm.

The Department, in conjunction with the Linn County Health Department and the affected industries, two electric utility power plants and three corn wet-milling plants, have discussed and reviewed various options for minimizing the SO₂ contributions from the sources. A plan, including the commitments from the facilities, has been developed by this joint effort and is the basis for IDNR's revision to the SO₂ SIP.

This plan describes the enforceable administrative consent order issued by the department which, when in effect, will significantly reduce the contributions of SO₂ sources to the ambient air. Additionally, construction permits have been issued for the addition of two scrubbers to control fugitive SO₂ emissions, fuel changes that reduce the sulfur content of liquid fuels, and for the increase of boiler stack heights. These measures are specifically designed to help reduce the ambient impact of SO₂ emissions. Copies of the complete proposed SIP revision are available at the Linn County Health Department in Cedar Rapids and at the IDNR, Air Quality Bureau's office in Urbandale.

A public hearing to receive comments on the proposed SIP revision was held on June 26, 1998, the final day of the 30-day public comment period, at the Linn County Health Department in Cedar Rapids. No oral or written comments were received.

(A copy of the SIP is on file in the department's Records Center)

Mr. Stokes presented details of the item.

Motion was made by Rozanne King to approve Revision of the SIP for Sulphur Dioxide for Cedar Rapids. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED.

FINAL RULE--CHAPTER 103, SANITARY LANDFILLS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to adopt a rule to amend Chapter 103 to add a section on the design, operation, and closure of landfills used only for the disposal of coal combustion residue from the burning of coal and other carbon based fuels. A public hearing was held on June 11, 1998. The Responsiveness Summary is attached.

ENVIRONMENTAL PROTECTION COMMISSION Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.304, subsection 17, the Environmental Protection Commission hereby adopts this amendment to Chapter 103, "Sanitary Landfills," Iowa Administrative Code.

This amendment adds a rule pertaining to the design and operation of a landfill only for the disposal of coal combustion residue.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 20, 1998, as ARC 8026A. Nine changes were made to the Notice in response to comments received. The following changes were made:

1. 103.7 - Add language to provide for variance provisions which apply to this rule.
2. 103.7(2)"e" - Add language to clarify the number of soil borings needed for a hydrogeologic investigation at a landfill.
3. 103.7(2)"f" - Add language to clarify the number of groundwater samples to be collected during a hydrogeological investigation, the type of analysis and the method of collection.
4. 103.7(4)"d" - Add language to clarify the sampling requirements for monitoring wells.
5. 103.7(5)"a" - Add the requirement for the final site contours and final cover design to be included in the postclosure plan.
6. 103.7(4)"d" - Address the parameters to be analyzed during the annual monitoring.
7. 103.7(4)"d" - Add conditions to when the Department could require additional groundwater monitoring or a groundwater quality assessment at a landfill.
8. 103.7(1)"b" - Add language to allow a lesser separation distance for a landfill when there is a recorded, written agreement with the property owner.
9. 103.7(4)"a"(5) - Add language which allows the beneficial reuse of coal combustion residue to be addressed in the operation plan.

This amendment is intended to implement Iowa Code Section 455B.304.

This amendment becomes effective September 16, 1998.

The following amendment is proposed.

Amend 567--103 by adding the following new rule:
567--103.7(455B) Coal combustion residue landfills. The following are the minimum requirements for siting, designing, and operating a solid waste landfill accepting only coal combustion residue. This rule stands alone and is not affected by references in other rules, except for the variance provision in 567--101.2(455B). "Coal combustion residue" means any solid waste produced by the burning of coal, either by itself or in conjunction with natural gas or other carbon-based fuels. It includes, but is not limited to, bottom ash, fly ash, slag and flue gas desulfurization system material generated by coal combustion and associated air pollution control equipment.

103.7(1) Site requirements.

a. The site cannot be a wetland, cannot be within a 100-year flood plain and cannot have any sinkholes or similar karst features.

b. No wastes shall be deposited within 300 feet of an inhabitable residence or a commercial enterprise, unless there is a written agreement with the property owner(s) allowing a lesser distance, or within 50 feet of the property boundary. The written agreement shall be filed with the county recorder for abstract of title purposes and a copy submitted to the department.

c. All waste must be a minimum of 5 feet above the high groundwater table.

103.7(2) Permit application requirements. The application for a permit shall include the following:

- a. A completed application Form 50:542-1542.
- b. A copy of the letter from the waste management assistance division approving the comprehensive plan required by 567--101.5(455B).
- c. Proof of legal entitlement to use the property as proposed.
- d. A topographic map of the site and the adjacent area within 300 feet of the site, with contour intervals not exceeding 10 feet, that shows the location of existing improvements or alterations such as structures, wells, lakes, roads, drain tiles or similar items. The highest point of elevation on the site shall also be identified and given.
- e. The results of a minimum of three soil borings for sites of 10 acres or less with one additional boring for each additional three acres to determine the hydrogeologic conditions and establish the direction of groundwater flow throughout the site and the minimum depth to groundwater on the site.
- f. An adequate number of representative groundwater sample results, minimum of three locations with, one sample from each location, to fully characterize the groundwater quality at the site. The following are the analytical parameters that are required to characterize groundwater quality and establish a baseline for those parameters: arsenic, barium, beryllium, cobalt, copper, iron, lead, magnesium, manganese, selenium, zinc, chlorides, and sulfate. The analysis shall be for dissolved metals with filtering in the field.
- g. Construction drawings and specifications of the improvements and alterations that are to take place on the site such as roads, structures, utilities, drainage ways, gates and fences.
- h. A copy of the local siting approval required by Iowa Code section 455B.305A.

103.7(3) Design criteria.

- a. The design of a coal combustion residue solid waste landfill shall contain a method for ensuring protection of the groundwater and surface water.
- b. The design plan shall include a method of ash transportation that prevents blowing ash and a method for preventing blowing dust and air emissions when unloading the ash.
- c. Surface runoff must be diverted from all active or closed areas, both during the active life of the facility and during the postclosure period.
- d. The site must be secured with a fence and gate(s) to prevent unauthorized entry when unattended.
- e. The site must have all-weather access roads adequate to accommodate all delivery vehicles and operating equipment.
- f. The site must be fenced and gated in a manner that will prevent unauthorized deposition of wastes at the site.

103.7(4) Operating requirements.

- a. An operation plan shall be prepared and submitted to the appropriate department field office prior to initiating operations. The plan, at a minimum, shall include:
 - (1) An identification of the area to be filled during the period for which a permit is being requested.
 - (2) The method(s) that will be utilized to prevent illicit municipal or putrescible solid wastes from being deposited as a result of mixing with authorized waste brought to the site.
 - (3) The frequency, extent and method of spreading and compacting the waste; the optimum layer thickness; and the size and slope of the operating face.

(4) A description of the operating procedures that will be followed when wastes are brought to the site.

(5) If it is intended to remove waste from the landfill for beneficial reuse, that activity should be addressed in the original operation plan. If the permit holder decides to remove waste after completion of the original operation plan, the plan must be amended prior to removing any waste.

b. After the waste is deposited, it must be treated as necessary to control fugitive dust that would leave the site and to control erosion that would impact operations in the active fill area. If the methods used do not adequately control dust and erosion, the department may require site-specific controls including a soil cover.

c. A minimum of one down gradient monitoring well must be installed within one year of initiating operations. Additional wells may be required when it is apparent that more than one potential contaminant pathway exists. Monitoring wells will normally be placed within 50 feet of the waste boundary.

d. Quarterly sampling of all monitoring wells and analysis for the parameters specified in paragraph 103.7(2)"f" shall commence within one year of initiating operations for the purpose of establishing the average baseline concentrations for each well. Annual sampling of all monitoring wells for the parameters specified in paragraph 103.7(2)"f" shall commence within one year of completing the quarterly baseline monitoring. Additional sampling or a site assessment may be required by the department when there is an exceedance of any primary or secondary Maximum Contaminant Level (MCL) or the Health Advisory Level (HAL) of the Drinking Water Standards and Health Advisories of the federal Environmental Protection Agency. When an MCL or HAL does not exist for a parameter and a sample analysis exceeds the average value for that parameter for the most recent two years of data, the department will require collecting and analyzing a sample for three consecutive months. If the average result of those sample analyses equals or exceeds the value that required the monthly samples to be collected, the department may require a site assessment.

e. A report of the groundwater monitoring results shall be submitted to the department by the end of the first year's operation and annually thereafter.

103.7(5) Closure/postclosure requirements.

a. One hundred eighty days prior to closure, the owner/operator shall submit a postclosure plan to the department. The plan shall list the date of closure, the actions that will be taken to close the site, the final site contours and final cover design and the parties responsible for postclosure maintenance.

b. The final cover shall consist of not less than two feet of compacted soil and one foot of uncompacted soil capable of sustaining a growth of common grasses.

c. The slope of the landfill area after final closure shall be not less than 3 percent nor more than 25 percent.

d. A growth of common grasses shall be established on the final cover by the end of the first full growing season.

e. A minimum of one sample from each monitoring well shall be collected annually during the postclosure period and analyzed for the parameters specified in the permit. The results shall be included in the annual report.

f. After closure, an annual inspection of the site shall be conducted. Any differential settling, surface cracks, holes, erosion channels, or any interference with surface drainage shall be corrected by restoration to the original condition. A report on the findings and corrective actions taken shall be included in the annual report. These postclosure actions are required for a minimum of ten years following closure. The department may extend the monitoring and reporting period if it appears that continued maintenance and monitoring are warranted.

103.7(6) Permit Renewal. The term for a permit to operate a solid waste landfill accepting only coal combustion residue waste shall be ten years, and the permit shall be renewable for a similar term.

This rule is intended to implement Iowa Code section 455B.304.

Date

Larry J. Wilson, Director

(A copy of the Responsiveness Summary is on file in the department's Records Center)

Mr. Stokes briefly reviewed the rules.

Motion was made by Terrance Townsend to approve Final Rule--Chapter 103, Sanitary Landfills. Seconded by Rozanne King. Following brief discussion the motion carried unanimously.

APPROVED AS PRESENTED

EMERGENCY RULE--CHAPTER 50, AGRICULTURAL DRAINAGE WELLS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

In December, 1997, the Commission adopted final rules implementing a program to regulate agricultural drainage wells (ADWs), largely in response to SF473 passed by the 1997 General Assembly. Portions of SF473 are now codified in Iowa Code Chapter 455I. Subsequent to adoption of the rules, the 1998 General Assembly passed HF 2136, which extended by three years the date by which surface water inlets must be removed from ADW drainage systems and the cisterns sealed.

The attached rule amendments reflect the date change. The amendments also extend by one year the date by which applications for the continuing use of ADWs must be submitted.

As the rule amendments simply reflect legislative action and confer a benefit upon ADW owners, the Commission is being asked to adopt the amendments without notice and public participation as provided for in Iowa Code Section 17A.4(2). In addition, the amendments as

proposed would become effective upon filing in accordance with Iowa Code Section 17A.5(2)“b”.

**Environmental Protection Commission [567]
Adopted and Filed Emergency
DRAFT**

Pursuant to the authority of Iowa Code sections 455B.263, 455B.268, 455B.278, and Iowa Code Supplement chapter 455I, the Environmental Protection Commission amends Chapter 50, “Scope of Division—Definitions—Forms—Rules of Practice,” and Chapter 52, “Criteria and Conditions for Authorizing Withdrawal, Diversion, and Storage of Water,” Iowa Administrative Code.

In December 1997, the Commission adopted amendments to Chapters 50, 51, and 52 that implemented a program to regulate agricultural drainage wells (ADWs). Among other provisions, the amendments provided that surface water intakes for ADWs would have to be removed and the cisterns sealed by December 31, 1998, as required by Iowa Code section 455I.2. The adopted amendments also provide that ADWs can continue to be used if a permit is obtained from the Department of Natural Resources. Permit applications for the continuing use of ADWs were to have been submitted by July 1, 1998.

The 1998 General Assembly extended the December 31, 1998 deadline by three years to December 31, 2001 (HF 2136). Accordingly, the Commission has adopted amendments to:

- extend the date for closure of surface intakes and sealing cisterns to December 31, 2001; and
- extend the date for submittal of permit applications to July 1, 1999.

At the time the Commission adopted the amendments implementing the ADW program, it was envisioned that permits for the continuing use of drainage wells would contain conditions requiring that surface water inlets be removed and the cisterns sealed by December 31, 1998. To provide time to process the permit applications, it was necessary to impose an application deadline of July 1, 1998. With the passage of HF 2136, the tight timeframe necessary for application submittal is no longer necessary and the Commission feels the extension of the application deadline will allow ADW owners more time to submit the necessary application information without compromising the intent of the ADW program.

In compliance with Iowa Code section 17A.4(2), the Commission finds that notice and public participation are unnecessary because the amendments reflect changes in statute. The other substantive portions of the program to regulate ADWs are not being changed.

The Commission also finds, pursuant to Iowa Code section 17A.5(2)“b”, that the normal effective date of the amendments should be waived and these amendments made effective upon filing as the amendments reflect statutory change and confer a benefit upon ADW owners.

These amendments will become effective on (insert date of filing).

These amendments are intended to implement Iowa Code chapter 455B, division III, part 4 and Iowa Code chapter 455I.

The following amendments are adopted:

ITEM 1. Amend paragraph 50.4 (1)“b” as follows:

b. Application for diversion of water related to the use of an agricultural drainage well. An application for the diversion of water and any other materials to an aquifer related to the use of an agricultural drainage well shall be made on a form obtained from the department and be submitted by or on behalf of such owners, lessees, easement holders, or option holders of all lands within the agricultural drainage well area. If the agricultural drainage well is part of a legally organized drainage district, the drainage district shall be a joint applicant. Applications for permits for diversions related to the use of an agricultural drainage well that existed prior February 18, 1998 shall be made by July 1, 1998⁹ with the exception of agricultural drainage wells that must be closed to comply with the provisions of 1997 Iowa Acts, Senate File 473. An application will not have to be filed for wells in a designated agricultural drainage well area which must be closed by December 31, 1999. In addition, the Department may grant up to ~~an 18-~~ a six-month delay in the application date for owners of agricultural drainage wells where it can be shown there is a reasonable expectation that the agricultural drainage well will be voluntarily closed by December 31, 1999.

ITEM 2. Amend paragraph 52.21(2)“a” as follows:

a. Surface water intakes. All surface water intakes shall be removed by December 31, 1998²⁰⁰¹. Additional tile lines may be added to compensate for removal of surface water intakes provided the replacement tile does not increase the size of the agricultural drainage well area. Replacement tiles shall generally conform with the Natural Resources Conservation Services Tile Intake Replacement Interim Standard 980.

ITEM 3. Amend paragraph 52.21(2)“b” as follows:

b. Cisterns. Cisterns shall be sealed or otherwise modified as necessary by December 31, 1998²⁰⁰¹ to prevent direct entry of surface water. Compliance with the Natural Resources Conservation Services Wellhead Protection Interim Standard 981 will be considered as complying with this condition. Alternatives to the Interim Standard may be allowed with Department approval.

Mr. Stokes explained the rules in detail.

Motion was made by Dean McWilliams to approve Emergency Rule--Chapter 50, Agricultural Drainage Wells. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

STATE OF IOWA PUBLIC DRINKING WATER PROGRAM ANNUAL COMPLIANCE REPORT - 1997

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Department has completed the State of Iowa Public Drinking Water Program 1997 Annual Compliance Report. The Safe Drinking Water Act (SDWA) Amendments of 1996 require the Department to prepare an annual report of the SDWA violations in the state. This report fulfills the reporting requirement in Iowa for the 1997 calendar year. The introductory section of the report is attached, and contains the report summary and program overview. The full report will be available after July 15, 1998.

This report was prepared by the Department's Water Supply Section in the Water Quality Bureau of the Environmental Protection Division. Development of the report was accomplished through the use of both the state and federal drinking water databases by the EPD-WQB-WS staff members.

The report will be distributed to all public water supplies listed in the report, legislative officials, EPA, members of the SDWA Advisory Group, and as requested by the public at large.

Introduction

The Iowa Department of Natural Resources (IDNR) - Environmental Protection Division administers the Public Drinking Water Program in Iowa under delegation of authority from the United States Environmental Protection Agency (EPA). The mission of the Public Drinking Water Program at the IDNR is to protect and enhance public health and safety, and the quality of life for all persons by ensuring the public drinking water is safe to drink. This mission is accomplished by ensuring that drinking water quality is monitored on a routine basis, and that public water supply systems (PWS's) are designed, operated, and maintained to minimize the possibility of contamination.

The 1996 reauthorized Safe Drinking Water Act (SDWA) required that each State with primary enforcement responsibility for the SDWA must prepare, make readily available to the public, and submit to the EPA an annual report on violations of national primary drinking water regulations by public water supply systems in the state.

This report fulfills this responsibility in Iowa for the 1997 calendar year.

This report includes violations with respect to:

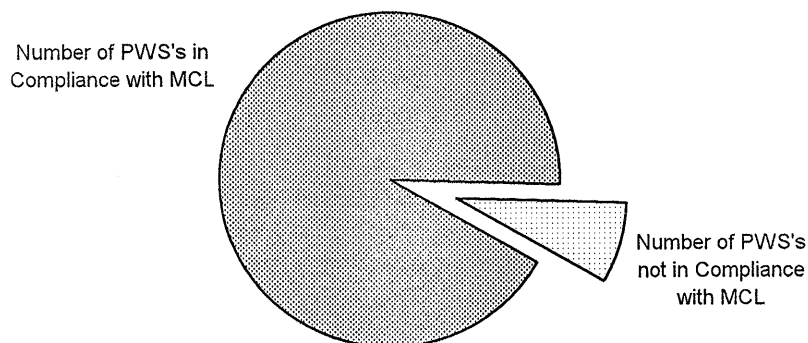
- Maximum Contaminant Levels (MCL)
- Treatment Technique Requirements (TT)
- Variances and Exemptions
- Monitoring and Reporting Requirements (M/R) - violations which are determined to be significant by the EPA Administrator after consultation with the States (Significant Non-Compliers, or SNC's).

Report Summary

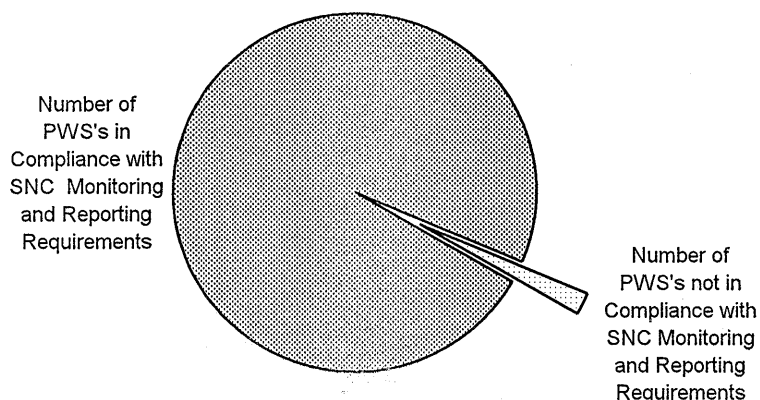
In this reporting year, IDNR assured compliance with MCL's and monitoring requirements, issued construction and operation permits, completed public water supply inspections, and responded to drinking water complaints:

- Of the 1920 active public water supply systems in Iowa in 1997, 92.1% were in compliance with the maximum contaminant level drinking water quality standards. There was a 0.5% decrease in MCL compliance by Iowa PWS's in 1997 from 1996, which is due to the inclusion of existing pre-1997 radionuclide MCL violations that were not addressed in the 1996 report. These existing pre-1997 violations were from PWS's which continued to exceed the MCL in 1997 from previous years. If these continuing radionuclide MCL violations are not included in the 1997 data, there is a 0.5% increase in MCL compliance by Iowa PWS's in 1997 from 1996. Figure 1 illustrates the MCL compliance by all of the Iowa PWS's in 1997.
- Of the 83 regulated contaminants, 12 were found at levels above the MCL: arsenic, benzene, cadmium, carbon tetrachloride, coliform bacteria, fluoride, nitrate, nitrite, total phthalates, radium 226 & 228, tetrachloroethylene, and total trihalomethanes. There were also violations of both the lead and copper action levels, and of the treatment techniques for turbidity, contact time, and residual disinfectant. In contrast, there were eight contaminants above the MCL in 1996.
- Of Iowa's active public water supplies, 98.0% complied with monitoring and reporting requirements to a significant extent, and thereby did not meet the definition of an SNC. This is an improvement of 1.2% in compliance with the SNC monitoring and reporting requirements from 1996. Figure 2 illustrates the SNC monitoring and reporting compliance by Iowa PWS's in 1997.
- No waterborne disease outbreaks or deaths were reported as being attributed to drinking water from regulated public water supply systems.

Figure 1: MCL Compliance by Iowa PWS's in 1997



**Figure 2: SNC Monitoring & Reporting
Compliance by Iowa PWS's in 1997**



The Public Drinking Water Program: An Overview

The United States Environmental Protection Agency (EPA) established the Public Water System Supervision (PWSS) Program under authority of the 1974 Safe Drinking Water Act and subsequent amendments.

- EPA sets national limits on allowable contaminant levels in public drinking water supplies (PWS's) to ensure the water is safe for human consumption. These limits are known as Maximum Contaminant Levels (MCL's).
- For some contaminants, EPA establishes Treatment Techniques (TT's) or Action Levels (AL's) in lieu of a MCL to control unacceptable levels of contaminants in public drinking water.
- EPA also regulates how often PWS's monitor for contaminants and requires those monitoring results be reported to the agency administering the PWSS Program in the state or territory. Generally, the larger the population served by a PWS, the more frequent the monitoring and reporting (M/R) requirements.
- The SDWA also requires PWS's to monitor for unregulated contaminants to provide data for future regulation development.
- EPA requires PWS's to notify the public they serve when violations of the drinking water regulations occur. Public notification must include a clear and understandable explanation of the nature of the violation, potential adverse health effects resulting from the violation, steps the PWS is taking to correct the violation, and the availability and necessity of using alternative water supplies until the violation is corrected.

The SDWA applies to all 50 States, the District of Columbia, Native American Indian Lands, Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.

The SDWA allows States and Territories to seek EPA approval to administer the PWSS Program within their state or territory, which is called primacy. To receive primacy, States must meet certain requirements set forth in the SDWA regulations, including adoption of drinking water regulations which are at least as stringent as federal regulations, and demonstration that the state or territory can enforce the program requirements. Of the 57 states and territories, all but Wyoming and the District of Columbia have primacy. The EPA Regional Offices administer the PWSS programs within those two jurisdictions.

Native American Indian Tribes must meet the same requirements as a state in order to receive primacy. To date, no Native American Indian Tribe has been granted primacy, and EPA administers the PWSS program on all tribal lands. The two PWS's operated by Native American Indian Tribes in Iowa have not received primacy, and are monitored directly by EPA. These two PWS's are the Winn-A-Vegas Casino in Sloan, Iowa, located in Woodbury County, and the Sac & Fox Community in Tama, Iowa, located in Tama County.

Primacy states send quarterly reports to EPA on their PWS inventory statistics; incidence of MCL, TT, and M/R violations; and enforcement actions taken to address violations. The annual compliance report that states are presently required to submit to EPA illustrates the numbers of violations for the four different violation categories:

- MCL Violations
- Treatment Technique Violations
- Variances and Exemptions
- SNC Monitoring and Reporting Violations

EPA regional offices also report to the states any enforcement actions taken by EPA within their jurisdiction. All SDWA data for a state is stored in an automated database called the Safe Drinking Water Information System (SDWIS). This database currently contains an inventory of PWS's and violations data, but not individual analytical results.

This Annual Report is based largely on data retrieved from the Iowa version of the Federal Safe Drinking Water Information System (SDWIS/FED), which in Iowa is called the Water System Facility List (WSFL). The quality of the Iowa data retrieved from the federal SDWIS/FED database is suspect since it is not validated and verified for accuracy by IDNR staff, and does not match all of the original Iowa WSFL database. The SNC Monitoring/Reporting Violation Report data originates from the SDWIS/FED database. The remaining data used in this annual compliance report originates from the Iowa WSFL database, which is considered more accurate than the SDWIS/FED data.

Iowa's Public Water Supply Systems

In order to understand this report, definitions of the various types of public water supplies are needed.

A **public water supply system** is a system which provides piped water for human consumption to the public. The system must have at least 15 service connections or regularly serve an average of at least 25 individuals daily at least 60 days out of the year. A farmstead is an

example of a **private water supply system** which does not meet the definition of a public water supply system.

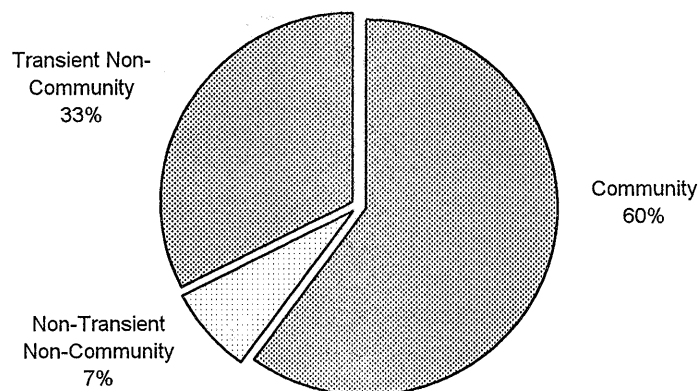
There were 1920 active PWS's in Iowa in 1997. A public water supply system is either a community water system or a noncommunity water system. A **community water system** (CWS) is a public water supply system which has at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. Examples of CWS's include municipalities, subdivisions, and mobile home parks. There were 1152 active CWS's in Iowa in 1997.

A **noncommunity water system** is a public water supply system that is not a community water system, and there are two types of regulated noncommunity water systems. A **nontransient noncommunity water system** (NTNCWS or NTNC) is a public water system which regularly serves at least 25 of the same persons four hours or more per day, for four or more days per week, for 26 or more weeks per year. Examples of NTNC's are schools, day-care centers, factories, and offices. Other service-oriented businesses, such as hotels, resorts, hospitals, and restaurants, are classified as NTNC's if they employ at least 25 people and are open for 26 or more weeks of the year. There were 142 active NTNC's in Iowa in 1997.

A **transient noncommunity water system** (TNCWS or TNC) is a public water system other than a CWS or NTNC which regularly serves at least 25 individuals daily at least 60 days out of the year. Examples of TNC's are convenience stores, bars, restaurants with fewer than 25 employees, golf courses, camps, parks, and recreation areas. There were 626 active TNC's in Iowa in 1997.

Figure 3 illustrates the three types of PWS's in Iowa.

Figure 3: Types of Iowa Public Water Supplies



There are three type of water sources in Iowa: surface water (rivers and reservoirs), groundwater, and groundwater under the direct influence of surface water (also called influenced groundwater or IGW). An example of an IGW source is a shallow well into which surface water could penetrate. Since a PWS can use any combination of water sources in its system, the PWS

is classified by its most vulnerable source. For example, a PWS with non-IGW groundwater and surface water sources is classified as a surface water source.

Figure 4 depicts the water source classifications of Iowa PWS's.

Figure 4: Water Sources of Iowa Public Water Supplies

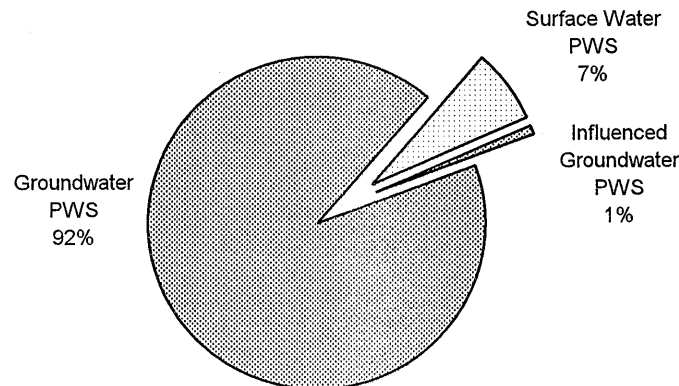
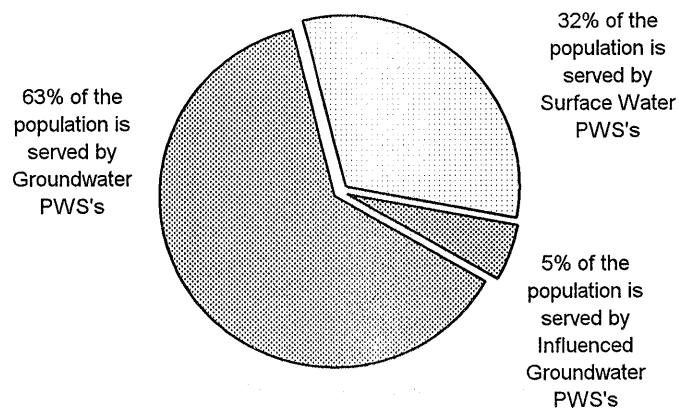


Figure 5 depicts the percentage of Iowa's population which is served by the three types of public water supply sources.

Figure 5: Iowa Population Served by Various Public Water Supply Sources



The IDNR's Role in the Drinking Water Program

The IDNR has four separate groups of people working in the drinking water area: field office staff, compliance and enforcement staff, engineering and water use staff, and legal services staff.

There are six Field Offices in the state, located in the following cities: Manchester, Mason City, Spencer, Atlantic, Des Moines, and Washington. There are staff in each of these regions who

specialize in drinking water. Their responsibilities include on-site inspections of every PWS in the state at least every five years, site surveys for well and treatment facility placement, response to complaints from the public, emergency response to spills which may threaten the environment (particularly the water resources), and provision of technical assistance to water supply operators.

The remaining drinking water staff are located in the Des Moines Central Office. The compliance and enforcement staff write the water supply operation permits for each PWS at least every three years, monitor the compliance by the PWS with the SDWA requirements through the use of computerized databases, prepare the violation notices for those supplies which are not in compliance with the SDWA requirements, and provide technical assistance to PWS for monitoring and reporting compliance issues. The engineering staff review design specifications for wells, distribution systems, and treatment plants, and approve and issue construction permits for PWS projects. They also provide assistance to the PWS and consulting engineers in various treatment technologies for specific water quality problems. The water use staff allocate and track the withdrawal of water from Iowa's aquifers and surface waters, and issue water use permits. The legal services staff provide support to the drinking water staff when additional enforcement action is necessitated by a PWS who fails to comply with the SDWA.

Mr. Stokes provided a verbal summary of the report noting the differences from 1996 to 1997.

INFORMATIONAL ONLY

IOWA'S WATER QUALITY MONITORING PROGRAM

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Information will be presented on Iowa's ambient water quality monitoring program for surface and ground water, as requested by the Commission. Information presented will include sampling sites, monitoring parameters, sampling frequency, the level of resources devoted to monitoring and the monitoring efforts of other agencies and organizations. Also included will be a general discussion of monitoring needs.

Jack Riessen, Water Resources Section Supervisor, distributed copies of a paper on the state's water quality monitoring efforts in Iowa. He displayed on the overhead several Des Moines Register articles on water quality/monitoring in Iowa stating that monitoring in Iowa is inadequate and that Iowa lacks in assuring quality water. He related that he will address the existing water quality efforts being done by the department and some of the issues and needs staff see forthcoming. He gave a slide presentation covering the following topics: Why monitor; Section 106 of the Clean Water Act; Monitoring Programs (who, where, when and what); Typical monitoring programs and data uses; DNR, COE and USGS monitoring of surface waters; Iowa's water quality monitoring program for groundwater; and monitoring costs and strategies.

Chairman Ehm asked what the money was for, specifically, that the legislature appropriated to ISU for some type of monitoring.

Mr. Stokes replied that the department asked for funding to do surface water and some groundwater sampling to determine the impacts of animal feeding operation manure releases. He related that the legislature then appropriated \$300,000 from the department's funding sources to ISU to evaluate the surface and groundwater impacts from animal feeding operations. He noted that the appropriations for sampling need to be made for the long haul, not just one year, as continued sampling needs to be done to determine the actual impacts.

Charlotte Mohr commented that the state receives fifty cents per person for each person who goes on the gambling boats and suggested that the Commission ask the legislature for some of that money for monitoring.

Mr. Stokes stated that the Commission needs to think creatively in preparing legislative requests in terms of what would be acceptable to the citizens they serve, and to what kind of response they are liable to receive from the legislature.

INFORMATIONAL ONLY

PROPOSED CONTESTED CASE DECISION--IOWA SELECT FARMS, L.P. (GAST FINISHING)

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

On September 19, 1997, the department issued Administrative Order No. 97-WW-26 to Iowa Select Farms, L.P. That action required the company to retain and properly dispose of manure; and to pay an administrative penalty of \$1,500. That action was appealed by Iowa Select, and the matter proceeded to administrative hearing on April 13, 1998. The Administrative Law Judge issued the Proposed Decision on May 29, 1998. The decision affirms the Order, with the exception of reducing the penalty to \$1,125.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Stokes reviewed the history of this case and noted that they have filed an appeal, so it will come before the Commission at a later date.

APPEALED - NO ACTION TAKEN AT THIS TIME
--

PROPOSED CONTESTED CASE DECISION--IOWA SELECT FARMS, L.P. (SOW FARM #8)

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

On December 12, 1997, the department issued Administrative Order No. 97-WW-46 and 97-HC-11 to Iowa Select Farms, L.P. That action required the company to retain and properly dispose of manure; to comply with hazardous condition notification requirements; and to pay an administrative penalty of \$3,000. That action was appealed by Iowa Select, and the matter proceeded to administrative hearing on April 9, 1998. The Administrative Law Judge issued the Proposed Decision on May 29, 1998. The decision affirms the Order, with the exception of reducing the penalty to \$2,166.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Stokes briefed the Commission on the history of this case noting that they have filed an appeal, so it will come before the Commission at a later date.

APPEALED - NO ACTION TAKEN AT THIS TIME
--

PROPOSED CONTESTED CASE DECISION--DODGER ENTERPRISES CO., TIRE CHOP DIVISION, AND DONALD E. GRELL

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

On July 9, 1997, the department issued Administrative Order No. 97-SW-10 to the above-named parties. That action required the parties to comply with their permit for waste tire processing and storage. On November 21, 1997, the department issued a Notice of Intent to Revoke the permit, and denied an application for a new permit. Those actions were appealed by the parties, and the matter proceeded to administrative hearing on April 23, May 6, and May 8, 1998. The Administrative Law Judge issued the Proposed Decision on June 26, 1998. The decision affirmed the department's actions.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Stokes briefed the Commission on the history of this case noting that he spoke with Mr. Grell this morning and he indicated he will file an appeal.

The Commission took no action; this has the effect of upholding the Administrative Law Judge decision in the absence of an appeal. There has been indication the party may appeal.

THE COMMISSION TOOK NO ACTION AT THIS TIME

REFERRALS TO THE ATTORNEY GENERAL

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Charlie's Supper Club (Algona) - drinking water.

Mr. Stokes briefed the Commission on the history of this case involving failure to sample the drinking water for bacteria as required, failure to renew their water supply operating permit, and failure to pay permit fees.

Motion was made by Rozanne King for referral to the Attorney General's Office. Seconded by Charlotte Mohr.

Gary Priebe stated that he will not vote due to a conflict of interest, as he knows the party involved.

Vote on the motion carried unanimously with Commissioner Priebe abstaining.

REFERRED

GENERAL DISCUSSION

- Terrance Townsend asked about J & R Recycling and whether there is a need for rulemaking to help firms such as theirs and to help with enforcement.

Mr. Stokes clarified that the licensure of PCB handling facilities is retained by EPA. He noted that the freon issue is also retained by EPA. He stated that the department does not license salvage yards, adding that he believes J&R is asking for the state to establish some sort of a licensing program that would require folks to be registered or licensed as state approved white goods recyclers. Mr. Stokes noted that the department has rules, under Chapter 118, which states that white goods should be inspected to be sure they do not have PCB's before disposing of them. If complaints are received the department runs an inspection and refers any violations of PCB or freon handling to EPA. He expanded on what an inspection/licensing program would entail and stressed that the department does not have the resources to do that.

- Mr. Stokes informed the Commission that there will be a meeting of the AACO group next week and he will present an overview of the animal feeding confinement rules to the Commission next month.
- Dean McWilliams reported that he attended a meeting of CHEEC early in July and noted that they had a lengthy discussion on riparian waterways.
- Terrance Townsend asked if staff could give the Commission some options for funding of water quality monitoring.

Mr. Stokes stated that he will provide some examples of what other states are doing in regard to funding their programs.

Mr. Kuhn stated that in order to fit it into the budget schedule, staff should present any budget desires at next month's meeting.

Mr. Stokes noted that he could present a two part scenario, one coming out of the general fund and another as part of a legislative package.

Consensus of the Commission was to have some type of request prepared to go into the budget. Commissioner Mohr reiterated that the legislature should be asked for some of the riverboat gambling money.

- Chairman Ehm stated that in regard to livestock permits he is hearing there is a communication gap occurring between the public and the department. He suggested having a check list for permit applicants to use so all of the needed information will be supplied with the application.

Mr. Stokes stated that he thinks it is already being done by virtue of the application form itself but agreed it is a good idea to use a specific check list.

Discussion followed regarding consultants, technical deficiencies, and possibly sending a copy of the letter requiring additional information to the applicant as well as the engineer or consultant.

- Director Wilson reported that he has been receiving a number of post cards, and some letters, about PM_{2.5} standards and they urge support of strong air quality standards.

ADDRESS ITEMS FOR NEXT MEETING

Discussion took place about the September meeting to be held at Rathbun Fish Hatchery. The meeting will be on Monday afternoon and tour on Tuesday morning.

NEXT MEETING DATES

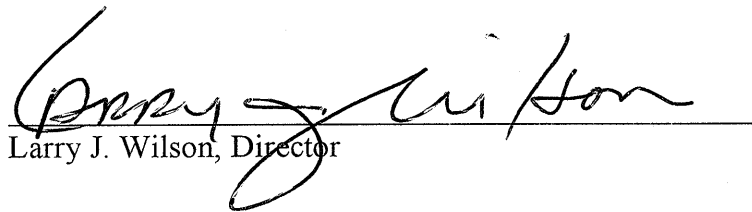
August 17, 1998

September 21, 1998

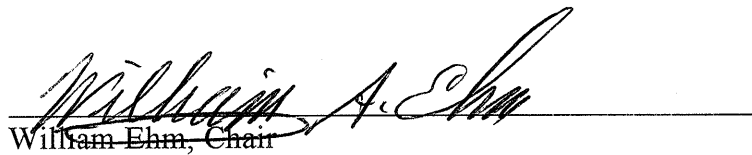
October 19, 1998

ADJOURNMENT

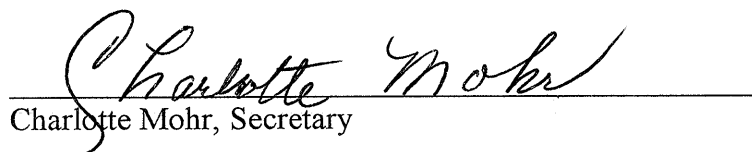
With no further business to come before the Environmental Protection Commission, Chairman Ehm adjourned the meeting at 3:10 p.m., Monday, July 20, 1998.



Larry J. Wilson, Director



William Ehm, Chair



Charlotte Mohr, Secretary

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